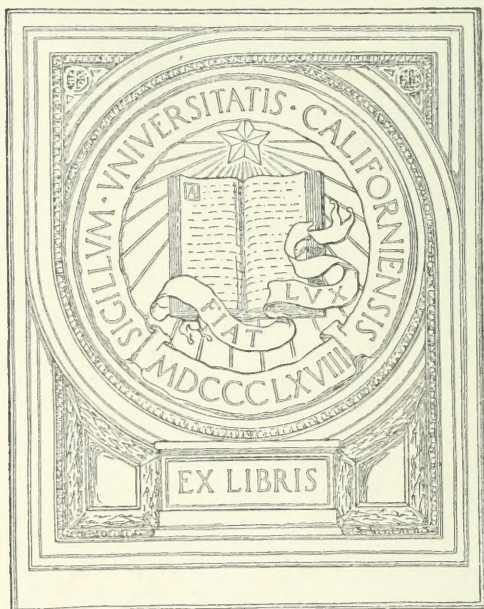




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March 23/89











THE  
REVISED ORDINANCES  
OF THE  
CITY OF SEDALIA, MISSOURI  
1894.

---

TO WHICH IS PREFIXED

PROVISIONS OF THE CONSTITUTION OF MISSOURI  
AFFECTING MUNICIPAL CORPORATIONS.—  
THE CHARTER OF THE CITY.—RULES  
OF THE COUNCIL.—LIST OF OF-  
FICERS, FRANCHISES, Etc.

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PUBLISHED BY AUTHORITY AND DIRECTION OF THE CITY OF SEDALIA.

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REVISED AND COMPILED BY  
JOHN CASHMAN,  
OF THE SEDALIA BAR,

By Order of the Mayor and City Council.

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SEDALIA MO:  
THE SEDALIA PRINTING COMPANY,  
1894.

Printed copies of the ordinances, resolutions, rules, orders and by-laws of any city or incorporated town, in this State purporting to be published by authority of such city or incorporated town, and manuscript or printed copies of such ordinances, resolutions, rules, orders and by-laws, certified under the hand of the officer having the same in lawful custody, with the seal of such city or town annexed, shall be received as evidence in all courts and places in this State without further proof; and any printed pamphlet or volume, purporting to be published by authority of and such town or city, and to contain the ordinances, resolutions, rules, orders or by-laws of such town or city, shall be evidence, in all courts and places within this State, of such ordinances, resolutions, rules, orders or by-laws. (§ 4846 R. S. 1889).



PROVISIONS  
OF THE  
CONSTITUTION OF THE STATE OF MISSOURI  
AFFECTING  
MUNICIPAL CORPORATIONS OF THE STATE.

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ARTICLE II.

BILL OF RIGHTS.

SECTION 1. (18) That no person elected or appointed to any office or employment of trust or profit under the laws of this State, or any ordinance of any municipality in this State, shall hold such office without personally devoting his time to the performance of the duties to the same belonging.

SEC. 2. (19) That no person who is now, or may hereafter become a collector or receiver of public money, or assistant or deputy of such collector or receiver, shall be eligible to any office of trust or profit in the State of Missouri, under the laws thereof, or of any municipality therein, until he shall have accounted for and paid over all the public money for which he may be accountable.

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ARTICLE IV.

LIMITATION ON LEGISLATIVE POWER.

SECTION 3. (45) The General Assembly shall have no power to give or to lend, or to authorize the giving or lending

of the credit of the State in aid of or to any person, association or corporation, whether municipal or other, or to pledge the credit of the State in any manner whatsoever, for the payment of the liabilities, present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever.

SEC. 4. (46) The General Assembly shall have no power to make any grant, or to authorize the making of any grant of public money or thing of value to any individual, association of individuals, municipal or other corporation whatsoever; *Provided*, that this shall not be so construed as to prevent the grant of aid in a case of public calamity.

SEC. 5. (47) The General Assembly shall have no power to authorize any county, city, town or township, or other political corporation or subdivision of the State now existing, or that may be hereafter established, to lend its credit, or to grant public money or thing of value, in aid of or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company.

SEC. 6. (48) The General Assembly shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation, fee or allowance to a public officer, agent, servant or contractor, after service has been rendered, or a contract has been entered into and performed in whole or in part, nor pay or authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void.

SEC. 7. (53) The General Assembly shall not pass any local or special law:

Regulating the affairs of counties, cities, townships, wards or school districts:

Changing the names of persons or places:

Authorizing the laying out, opening, altering or maintaining roads, highways, streets or alleys:

Vacating roads, town plats, streets or alleys:

Relating to cemeteries, grave yards or public grounds not of the State:

Incorporating cities, towns or villages, or changing their charters:

For the opening and conducting of elections, or fixing or changing the places of voting:

Creating offices, or prescribing the powers and duties of officers in counties, cities, townships, election or school districts:

Regulating the fees or extending the powers and duties of aldermen, justices of the peace, magistrates or constables.

Remitting fines, penalties and forfeitures, or refunding moneys legally paid into the treasury:

Exempting property from taxation:

Creating corporations, or amending, renewing, extending or explaining the charter thereof:

Granting to any corporation, association or individual any special or exclusive right, privilege or immunity, or to any corporation, association or individual, the right to lay down a railroad track:

Extending the time for the assessment or collection of taxes, or otherwise relieving any assessor or collector of taxes from the due performance of their official duties, or their securities from liability:

Legalizing the unauthorized or invalid acts of any officer or agent of the State, or of any county or municipality thereof. In all other cases where a general law can be made applicable, no local or special law shall be enacted; and whether a general law could have been applicable in any case, is hereby declared a judicial question, and as such shall be judicially determined, without regard to any legislative assertion on the subject:

Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed.

SEC. 8. (54) No local or special law shall be passed



unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the General Assembly of such bill, and in the manner to be provided by law. The evidence of such notice having been published, shall be exhibited in the General Assembly before such act shall be passed, and the notice shall be recited in the act according to its tenor.

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## ARTICLE VIII.

### SUFFRAGE AND ELECTIONS.

SECTION 9. (2) Every male citizen of the United States, and every male person of foreign birth, who may have declared his intention to become a citizen of the United States according to law, not less than one year nor more than five years before he offers to vote, who is over the age of twenty-one years, possessing the following qualifications, shall be entitled to vote at all elections by the people:

*First*—He shall have resided in the State one year immediately preceeding the election at which he offers to vote.

*Second*—He shall have resided in the county, city or town where he shall offer to vote, at least sixty days immediately preceding the election.

SEC. 10. (3) All the elections by the people shall be by ballot; every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the voter who presents the ballot. The election officers shall be sworn or affirmed not to disclose how any voter shall have voted, unless required to do so as witnesses in a judicial proceeding; *Provided*, that in all the cases of contested elections the ballots cast may be counted, compared with the list of

voters, and examined under such safeguards and regulations as may be prescribed by law.

SEC. 11. (4) Voters shall in all cases, except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

SEC. 12. (6) All elections by persons in a representative capacity, shall be *viva voce*.

SEC. 13. (7) For the purpose of voting, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State, or of the United States; nor while engaged in the navigation of the waters of the State, or of the United States, or of the high seas, nor while a student of any institution of learning, nor while kept in a poor-house, or other asylum at public expense, nor while confined in public prison.

SEC. 14. (8) No person, while kept at any poor-house, or other asylum at public expense, nor while confined in any public prison, shall be entitled to vote at any election under the laws of this State.

SEC. 15. (9) The trial and determination of contested elections of all public officers, whether State, judicial, municipal or local, except Governor and Lieutenant-Governor, shall be by the courts of law, or by one or more of the judges thereof. The General Assembly shall, by general law, designate the court or judges by whom the several classes of election contests shall be tried, and regulate the manner of trial and all matters incident thereto; but no such law, assigning jurisdiction or regulating its exercise, shall apply to any contest arising out of any election held before said law shall take effect.

SEC. 16. (10) The General Assembly may enact laws excluding from the right of voting all persons convicted of felony or other infamous crimes or misdemeanors connected with the exercise of the right of suffrage.

SEC. 17. (11) No officer, soldier or marine, in the reg-

ular army or navy of the United States, shall be entitled to vote at any election in this State.

SEC. 18. (12) No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding his election or appointment.

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## ARTICLE IX.

### COUNTIES, CITIES AND TOWNS.

SECTION 19. (6) No county, township, city or other municipality shall hereafter become a subscriber to the capital stock of any railroad or other corporation or association, or make appropriation or donation, or loan its credit to or in aid of any college or institution of learning, or other institution, whether created for or to be controlled by the State or others. All authority heretofore conferred for any of the purposes aforesaid by the General Assembly, or by the charter of any corporation, is hereby repealed; *Provided, however*, that nothing in this Constitution contained shall affect the right of any such municipality to make such subscription, where the same has been authorized under existing laws by a vote of the people of such municipality prior to its adoption, or to prevent the issue of renewal bonds, or the use of such other means as are or may be prescribed by law for liquidation or payment of such subscription, or of any existing indebtedness.

SEC. 20. (7) The General Assembly shall provide, by general laws, for the organization and classification of cities and towns. The number of such classes shall not exceed four; and the power of each class shall be defined by general laws, so that all such municipal corporations of the same class shall possess the same powers and be subject to the same restrictions. The General Assembly shall also make provisions, by general law, whereby any city, town or village, existing by

virtue of any special or local law, may elect to become subject to, and be governed by, the general laws relating to such corporations.

SEC. 21. (13) The fees of no executive or ministerial officer of any county or municipality, exclusive of the salaries actually paid to his necessary deputies, shall exceed the sum of ten thousand dollars for any one year. Every such officer shall make return, quarterly, to the county court of all fees by him received, and of the salaries by him actually paid to his deputies or assistants, stating the same in detail, and verifying the same by his affidavit; and for any statement or omission in such return, contrary to truth, such officer shall be liable to the penalties of willful and corrupt perjury.

SEC. 22. (14) Except as otherwise directed by this Constitution, the General Assembly shall provide for the election or appointment of such other county, township and municipal officers, as public convenience may require; and their terms of office and duties shall be prescribed by law; but no term of office shall exceed four years.

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## ARTICLE X.

### REVENUE AND TAXATION.

SECTION 23 (1) The taxing power may be exercised by the General Assembly for State purposes, and by counties and other municipal corporations, under authority granted to them by the General Assembly, for county and other corporate purposes.

SEC. 24. (2) The power to tax corporations and corporate property shall not be surrendered or suspended by act of the General Assembly.

SEC. 25. (3) Taxes may be levied and collected for public purposes only. They shall be uniform upon the same class of subjects within the territorial limits of the authority



levying the tax, and all taxes shall be levied and collected by general laws.

SEC. 26. (4) All property subject to taxation shall be taxed in proportion to its value.

SEC. 27. (5) All railroad corporations in this state, or doing business therein, shall be subject for taxation for State, county, school, municipal, and other purposes, on the real or personal property owned or used by them, and on their gross earnings, their net earnings, their franchises, and their capital stock.

SEC. 28. (6) The property, real and personal, of the State, counties and other municipal corporations, and cemeteries, shall be exempt from taxation. Lots in incorporated cities or towns, or within one mile of the limits of any such city or town, to the extent of one acre, and lots one mile or more distant from such cities or towns, to the extent of five acres, with the buildings thereon, may be exempted from taxation when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; also such property, real or personal, as may be used exclusively for agricultural or horticultural societies; *Provided*, that such exemptions shall be only by general law.

SEC. 29. (7) All laws exempting property from taxation, other than the property above enumerated, shall be void.

SEC. 30. (9) No county, city, town or other municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 31. (10) The General Assembly shall not impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes; but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 32. (11) Taxes for county, city, town and school purposes, may be levied on all subjects and objects of taxation; but the valuation of property therefor shall not exceed the valuation of the same property in such town, city or school district for State and county purposes. For county purposes the annual rate on property, in counties having six million dollars or less, shall not, in the aggregate, exceed fifty cents on the hundred dollars valuation; in counties having six million dollars and under ten million dollars, said rates shall not exceed forty cents on the hundred dollars valuation; in counties having ten million dollars and under thirty million dollars, said rate shall not exceed fifty cents on the hundred dollars valuation; and in counties having thirty million dollars or more, said rate shall not exceed thirty-five cents on the hundred dollars valuation. For city and town purposes the annual rate on property in cities and towns having thirty thousand inhabitants or more, shall not, in the aggregate, exceed one hundred cents on the hundred dollars valuation; in cities and towns having less than thirty thousand and over ten thousand inhabitants, said rate shall not exceed sixty cents on the hundred dollars valuation; in cities and towns having less than ten thousand and more than one thousand inhabitants, said rate shall not exceed fifty cents on the hundred dollars valuation; and in towns having one thousand inhabitants or less, said rate shall not exceed twenty-five cents on the hundred dollars valuation. For school purposes in districts, the annual rate on property shall not exceed forty cents on the hundred dollars valuation; *Provided*, The aforesaid annual rates for school purposes may be increased in districts formed of cities and towns, to an amount not to exceed one dollar on the hundred dollars valuation; and in other districts to an amount not to exceed sixty-five cents on the hundred dollars valuation, on the condition that a majority of the voters who are tax-payers, voting at an election held to decide the question, vote for said increase. For the purpose of erecting public buildings in counties, cities or school districts, the rates of taxation herein limited may be increased when the rate

of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and two-thirds of the qualified voters of such county, city or school district, voting at such election shall vote therefor. The rate herein allowed to each county shall be ascertained by the amount of taxable property therein, according to the last assessment for State and county purposes, and the rate allowed to each city or town by the number of inhabitants, according to the last census taken under the authority of the State, or of the United States; said restrictions, as to rate, shall apply to taxes of every kind and description, whether general or special, except taxes to pay valid indebtedness now existing, or bonds which may be issued in renewal of such indebtedness.

SEC. 33. (12) No county, city, town, township, school district or other political corporation or subdivision of the State, shall be allowed to become indebted in any manner, or for any purpose, to an amount exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the voters thereof voting at an election to be held for that purpose; nor in cases requiring such assent shall any indebtedness be allowed to be incurred to an amount, including existing indebtedness, in the aggregate, exceeding five per centum of the value of the taxable property therein, to be ascertained by the assessment next before the last assessment for State and county purposes, previous to the incurring of such indebtedness; *Provided*, that, with such assent, any county may be allowed to become indebted to a larger amount for the erection of a court house or jail; *and provided further*, that any county, city, town, township, school district, or other political corporation or subdivision of the State, incurring any indebtedness, requiring the assent of the voters aforesaid, shall, before or at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof, within twenty years from the time of contracting the same.

SEC. 34. (13) Private property shall not be taken or sold for the payment of the corporate debt of a municipal corporation.

SEC. 35. (17) The making of a profit of State, county, city, town or school district money, or using the same for any purpose not authorized by law, by any public officer, shall be deemed a felony, and shall be punished as provided by law.

SEC. 36. (20) The money arising from any loan, debt or liability, contracted by the State, or any county, city, town, or other municipal corporation, shall be applied to the purpose for which they were obtained, or to the repayment of such debt or liability, and not otherwise.

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## ARTICLE XI.

### EDUCATION.

SECTION 37. (11) Neither the General Assembly, nor any county, city, town, township, school district or other municipal corporation, shall ever make an appropriation, or pay from any public fund whatever, anything in aid of any religious creed, church, or sectarian purpose; or to help to support or sustain any private or public school, academy, seminary, college, university or other institution of learning controlled by any religious creed, church or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any county, city, town or other municipal corporation, for any religious creed, church or sectarian purpose whatever.

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## ARTICLE XII.

### CORPORATIONS.—RAILROADS.

SECTION 38. (16) The General Assembly shall pass no law for the benefit of a railroad or other corporations, or any



individual or association of individuals, retrospective in its operation, or which imposes on the people of any county or municipal subdivision of the State a new liability in respect to transactions and considerations already past.

SEC. 39. (20) No law shall be passed by the General Assembly granting the right to construct and operate a street railroad within any city, town, village, or on any public highway, without first requiring the consent of the local authorities having control of the street or highway proposed to be occupied by such street railroad; and the franchise so granted shall not be transferred without similar assent first obtained.

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## ARTICLE XIV.

### MISCELLANEOUS PROVISIONS.

SECTION 40. (7) The General Assembly shall, in addition to other penalties, provide for the removal from office of county, city, town and township officers, on conviction of willful, corrupt or fraudulent violation or neglect of official duty.

SEC. 41. (8) The compensation or fees of no State, county or municipal officer shall be increased during his term of office; nor shall the term of any office be extended for a longer period than that for which such officer was elected or appointed.

SEC. 43. (9) The appointment of all officers not otherwise directed by this Constitution, shall be made in such a manner as may be prescribed by law.

### SCHEDULE.

That no inconvenience may arise from the alterations or amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

SEC. 43. (1) That all laws in force at the adoption of this Constitution, not inconsistent therewith, shall remain in full force until altered or repealed by the General Assembly; and

all rights, actions prosecutions, claims and contracts of the State, counties, individuals or bodies corporate, not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted. The provisions of all laws which are inconsistent with the Constitution, shall cease upon its adoption, except that all laws which are inconsistent with such provisions of this Constitution, as require legislation to enforce them, shall remain in force until the first day of July, one thousand, eight hundred and seventy-seven, unless sooner amended or repealed by the General Assembly.

SEC. 44. (2) That all renognizances, obligations and all other instruments, entered into or executed before the adoption of this Constitution, to this state or to any subdivision thereof, or any municipality therein; and all fines, taxes, penalties and forfeitures, due or owing to this State, or any such subdivision or municipality; and all writs, prosecutions, actions and causes of action, except as herein otherwise provided, shall continue and remain unaffected by the adoption of this Constitution. All indictments which shall have been found, or may hereafter be found, for any crime or offense committed before this Constitution takes effect, may be proceeded upon as if no change had taken place, except as otherwise provided in this Constitution.

# CHARTER.

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## CITIES, TOWNS AND VILLAGES:

### CITIES OF THIRD CLASS.

AN ACT to repeal article 4, chapter 30, of the Revised Statutes of Missouri of 1889, with all amendments thereof, said article being entitled "Cities of the third class," and to enact in lieu thereof a new article, providing for the government of cities of the third class.

#### SECTION

1. Cities of the third class, incorporation of.
2. Jurisdiction not affected.
3. Election of officers, when held, etc.
4. Refusal to qualify, etc.—justice of the peace to order election.
5. Elective officers—terms of office.
6. Qualifications of mayor—contests.
7. Mayor to be president of council.
8. He shall sign commissions, drafts, etc.
9. Shall communicate to the council, what.
10. May require officers to exhibit accounts.
11. May remove officers, with consent of council.
12. Shall enforce ordinances.
13. May remit fines, etc.
14. Shall make report to council, when.
15. May appoint what officers.
16. Vacancy in office of mayor, how filled—president *pro tem*, duties of.

#### SECTION

17. Division of city into wards—of councilmen.
18. Councilmen, qualifications of, etc.
19. President *pro tempore*.
20. Council shall publish semi-annual statements, etc.
21. Powers of council—witnesses, papers.
22. Proceedings of, how kept.
23. Clerk, temporary, appointment of.
24. Duties of clerk.
25. Officers to be residents of city.
26. Officers to take oath.
27. Term "officer" construed.
28. Delinquent officer, mayor to proceed against.
29. Compensation of officers.
30. Vacancies, how filled.
31. Corrupt allowance of claim, how punished.
32. Officers prohibited from being interested in contracts, etc., how punished.
33. Duties, etc., may be regulated by ordinance.
34. Marshal, duties.
35. Assistant marshal, duties.

SECTION

36. Council may appoint policemen.
37. Appointment of, to be ordinance.
38. Powers of assistant marshal and policemen.
39. Marshal subject to mayor.
40. Marshal, etc., how removed.
41. Duties of police judge—vacancies, how filled.
42. Suitable court-room to be furnished.
43. Violations of ordinances, how prosecuted.
44. Warrants, how issued and executed.
45. Police judge to hear complaints, etc.
46. Recognizances forfeited—duty of mayor.
47. Any number of persons may be included in complaint—proceedings on.
48. Jurisdiction of police judge.
49. Proceedings in indictable cases.
50. Continuances, how made.
51. Witnesses, fees—duty of police judge.
52. Shall assess punishment.
53. Prisoners may work on streets, etc.
54. Defendant, when discharged.
55. Appeals, how taken.
56. Prosecutor to pay costs, when.
57. Police judge may punish for contempt, etc.
58. Cases heard and tried to be filed with clerk.
59. Attorney, duties of.
60. Additional attorneys employed, when, how.
61. Assessor, duties—levy of taxes.
62. Delinquent taxes—lien for taxes.
63. Collector, duties of—delinquent taxes, etc.
64. Taxes collected to be reported monthly.
65. Council to provide for levying taxes, etc.
66. Clerk to make tax-books.
67. Collector to pay over all monies monthly.
68. Power of council to levy tax.

SECTION

69. Poll-tax.
70. Bonded debt and interest, power to levy tax for—funding outstanding debts.
71. Illegal levy, etc., may be corrected.
72. Merchants' tax.
73. Licenses, how issued.
74. No exemption from tax.
75. Depository for city funds, how selected.
76. Bond of depository.
77. Treasurer to deposit in depository—penalty for failure.
78. Treasurer, duties of.
79. Failure to select depository—duty of council.
80. Warrants, how drawn—penalties.
81. Sinking funds, how invested—security.
82. Style of ordinances.
83. Mayor to approve ordinances—may veto—proceedings when vetoed.
84. Powers and duties of mayor and council as to city finances, health, etc.
85. Council shall enact what ordinances.
86. May regulate lumber yards, etc., running at large of cattle, etc., provide pounds, and impose penalties.
87. May control streets, sidewalks, etc., amusements, etc.
88. Regulations for prevention of contagious diseases, abatement of same, etc.,—erect hospitals, waterworks, sewers, etc.
89. Purchase grounds for market houses, etc.
90. Regulate levees, etc.
91. Inspection, weighing, etc.
92. Slaughter-houses, stock-yards, etc.
93. Carrying concealed and deadly weapons.
94. Sprinkling streets, etc., assess cost of same, etc.
95. Lighting streets, lamp-posts, contracts for gas, electricity, etc.



## SECTION

- 96. Contracts for water, etc.—operate waterworks, etc.
- 97. Establish sewer system, and assess tax therefor.
- 98. District sewer, and assess tax therefor, and issue tax-bills, etc.
- 99. Private sewers.
- 100. Real estate for cemetery purposes, etc.
- 101. Cemetery lots, how conveyed.
- 102. Opening, extending or widening county roads—duty of council as to benefits, etc.
- 103. Census, how taken—limit of tax levy.
- 104. Claims, how presented and allowed.
- 105. Railroads or street railroads—powers of council, etc.
- 106. May issue bonds for purchase of real estate—how issued—vote—limitation.
- 107. License tax may be levied, on whom.
- 108. Council to provide by ordinance for levying taxes, etc., grading and improving streets, etc.
- 109. May establish grade of streets, etc.
- 110. Notice, how given.
- 111. May open, improve and vacate streets, etc.
- 112. May condemn sidewalks and improve same.
- 113. May advertise for bids, etc.—city to construct, when—tax bills issued for.

## SECTION

- 114. May open streets, etc., on petition—damages, how assessed.
- 115. Private property taken—benefits and damages, how determined—notice.
- 116. Jury to ascertain damages and benefits, etc.
- 117. Exemption from payment of benefits, proceedings in, etc.
- 118. Mayor to report verdict to council, etc.—appropriation to pay damages against city—lien on private property, etc.—Special tax-bills to issue, etc.—tax bills to be recorded—sale of property for taxes—deed, etc.
- 119. Parties aggrieved may file objection, where—affidavit—duties of clerk—notice, when published—circuit court, duties of—verdict—execution, etc.
- 120. Duties of city clerk—to make record of ordinances—notes, etc., mayor shall sign city to pay costs, when.
- 121. May change names of streets, how—notice.
- 122. May enact and make rules and regulations.
- 123. Punishment for violating this act.
- 124. Repealing clause.
- 125. Emergency clause.

*It is enacted by the General Assembly of the State of Missouri, as follows:*

SECTION 1. That article 4, of chapter 30, of the Revised Statutes of Missouri of 1889, said article being entitled "Article of the third class," with all amendments thereof, be and the same is hereby repealed, and in lieu thereof the following is enacted:

## ARTICLE IV.

## CITIES OF THE THIRD CLASS.

SECTION 1. Any city of the third class in this State may become a body corporate under the provisions of this act, in the manner provided by law, under the name of "the city of \_\_\_\_\_," and by that name shall have perpetual succession, may sue and be sued, implead and be impleaded, defend and be defended in all courts of law and equity, and in all actions whatever; may receive and hold property, both real and personal, within such city, and may purchase, receive and hold real estate within and without such city for the burial of the dead; and may purchase, hold, lease, sell or otherwise dispose of any property, real or personal, it now owns or may hereafter acquire; may receive bequests, gifts and donations of all kinds of property; and may have and hold one common seal, and may break, change or alter the same at pleasure, and all courts of this State shall take judicial notice thereof.

SEC. 2. The jurisdiction of any city which shall organize under the provisions of this act shall not in any wise be affected or changed in consequence thereof, but the limits, wards and boundaries of each city shall remain after such organization the same as they were previous; and all laws or parts of laws, or ordinances, not inconsistent with this act, which were in operation in such city prior to its organization under this act, or prior to the passage of this act, shall continue in force until repealed. The mayor and council of such city, with the consent of a majority of the legal voters of such city voting at an election therefor, shall have power to extend the limits of the city over territory adjacent thereto, and to diminish the limits of the city by excluding territory therefrom, and shall, in every case, have power, with the consent of the legal voters as aforesaid, to extend or diminish the city limits in such manner as in their judgment and discretion may redound to the benefit of the city: *Provided, however,* that all agricultural

and pasture lands in tracts in excess of forty (40) acres in such city shall be exempt from taxation for city purposes until said lands are laid off into lots and blocks, and plans of the same filed for record.

SEC. 3. A general election for the elective officers of each city of the third class shall be held on the first Tuesday in April after the organization of such city under the provisions of this act, and every two years thereafter, and all city elections shall be held under the provisions of the general election laws of the State: *Provided*, that all certificates of nomination and petitions therefor, as provided by the State election laws, shall be filed with the city clerk and not with any other officer, and all duties specified to be performed by the constable or sheriff in the State elections shall be performed by the marshal in city elections; and all tickets for city elections shall be printed by the city and at the city's expense; and all duties heretofore performed by the county clerk with reference to city elections shall be performed by the city clerk. The polling places for all elections in such cities, and the judges therefor, shall be selected and specified by the respective city councils of such cities by resolution, ordinance or otherwise. The manner of making returns of such elections shall be prescribed by ordinance. Any city organizing under the provisions of this act may elect a mayor and such other officers as may be necessary to carry this act into effect, who shall hold office until the second Tuesday in April thereafter, and until their successors are elected and qualified.

SEC. 4. If at any time, by reason of non-acceptance, resignation, refusal to qualify, or for any other cause, there shall be no officers of the city to order an election, any justice of the peace within the corporate limits is empowered to order and hold an election for city officers.

SEC. 5. The following officers shall be elected by the qualified voters of the city, and shall hold their offices for two years, and until their successors are duly elected and qualified, to-wit: A mayor, marshal, attorney, police judge, assessor,

collector and treasurer. The attorney shall be a person learned in the law.

SEC. 6. No person shall be mayor unless he be at least thirty years of age, a citizen of the United States and a resident of such city at the time of and for two years next preceding his election. When two or more persons shall have an equal number of votes for the office of mayor, or an election for mayor be contested, the matter shall be determined by the council.

SEC. 7. The mayor shall be president of the council, but shall not vote; he shall have the superintending control of all the officers and affairs of the city, and shall take care that the ordinances of the city, and the State laws relating to such city, are complied with.

SEC. 8. The mayor shall sign the commissions and appointments of all city officers elected or appointed in the city, and shall approve all official bonds. He shall sign all orders and drafts drawn on the treasurer for money, and cause the city clerk to attest the same, and to affix thereto the seal of the city, and to keep an accurate record thereof in a book to be provided for that purpose.

SEC. 9. The mayor shall, from time to time, communicate to the council such measures as may, in his opinion, tend to the improvement of the finances, the police, health, security, ornament, comfort and general prosperity of the city.

SEC. 10. The mayor shall have power to require, as often as he may deem it necessary, any officer of the city to exhibit his accounts or other papers or records, and to make report to the council, in writing, touching any subject or matter pertaining to his office.

SEC. 11. The mayor may, with the consent of a majority of all the members elected to the city council, remove from office, for cause shown, any elective officer of the city, such officer first being given opportunity, together with his witnesses, to be heard before the council, sitting as a court of impeachment. Any elective officer may, in like manner, for cause



shown, be removed from office by a two-thirds vote of all the members elected to the city council, independently of the mayor's approval or recommendation. The mayor may, with the consent of a majority of all the members elected to the council, remove from office any appointive officer of the city at will; and any such appointive officer may be so removed by a two-thirds vote of all the members elected to the council, independently of the mayor's approval or recommendation. The council may pass ordinances regulating the manner of impeachment and removals.

SEC. 12. The mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the city, and he shall cause all subordinant officers to be dealt with promptly for any neglect or violation of duty; and he is hereby authorized to call on every male inhabitant of the city, over eighteen years of age and under fifty, to aid in enforcing the laws.

SEC. 13. The mayor shall have power to remit fines and forfeitures and to grant reprieves and pardons for offenses arising under ordinances of the city; but this section shall not be so construed as to authorize the mayor to remit any costs which may have accrued to any officer of the city by reason of any prosecution under the laws or ordinances of said city.

SEC. 14. The mayor shall make a written report to the council, on or before the first day of July of each year, which report shall contain his estimate of the necessary appropriations to meet all the wants of the current year, and the estimated receipts from licenses, taxes and other sources, and which shall also show the actual financial condition of the city.

SEC. 15. The mayor, with the consent and approval of a majority of the members elected to the city council, shall have power to appoint a street commissioner and such other officers as he may be authorized by ordinance to appoint.

SEC. 16. When any vacancy shall happen in the office of the mayor, by death, resignation, removal from city, removal from office, refusal to qualify or otherwise, the president *pro*

*tem.* of the council shall, for the time being, perform the duties of mayor until such vacancy be filled; and in case of the temporary absence of the mayor or disability to perform the duties of his office, the president *pro tem.* of the council shall perform the duties of mayor until the mayor shall return or such disability be removed; and during the time the president *pro tem.* of the council shall act as mayor, he shall receive the same compensation that the mayor would be entitled to. In case of vacancy other than a temporary absence or disability, the person exercising the office of mayor shall cause a new election to be held, giving ten days' notice thereof by proclamation published in some newspaper published in the city: *Provided*, when a vacancy occurs within six months of a general municipal election, no election shall be called to fill such vacancy.

SEC. 17. The council shall, by ordinance, divide the city into not less than four wards, and two councilmen shall be elected from each of such wards by the qualified voters thereof at the first election for councilmen in cities hereafter adopting the provisions of this act; the one receiving the highest number of votes in each ward shall hold his office for two years, and the one receiving the next highest number of votes shall hold his office for one year; but thereafter each ward shall elect annually one councilman, who shall hold his office for two years.

SEC. 18. No person shall be a councilman unless he be at least twenty-five years of age, a citizen of the United States, and an inhabitant of the city for one year next preceding his election, and a resident of the ward from which he is elected six months next preceding his election. Whenever there shall be a tie in the election of a councilman, or an election for a councilman be contested, the matter shall be determined by the council.

SEC. 19. At the first regular meeting of the city council after the election in each year—which meeting shall occur at the time fixed by ordinance, but shall not be later than the third Tuesday in April—the council shall elect one of its members president *pro tem.*, who shall hold his office for the term of one year, and

who, in the absence of the mayor, shall preside at the meetings of the council: *Provided*, that in the absence of the mayor and president *pro tem.* the council may select one of its members present to preside at such meetings, who shall be styled "acting president *pro tem.*"

SEC. 20. The council shall semi-annually, in January and July of each year, publish a full and detailed statement of the receipts and expenditures and indebtedness of the city for the half year ending on December 31 and June 30 preceeding the date of such report, which statement shall be published in some newspaper published in the city.

SEC. 21. The council shall have power to compel the attendance of witnesses and the production of papers relating to any subject under consideration in which the interest of the city is involved, and shall have power to call on the proper officer of the city, or of the county in which such city is located, to execute such process. The officer making such service shall be entitled to receive therefor such fees as are allowed by law for similar service, to be paid by the city. The president of the council, or president *pro tem.*, shall have power to administer oaths to witnesses.

SEC. 22. The council shall cause to be kept a journal of its proceedings, and the ayes and nays of the members shall be entered on any question at the desire of any two members. The council may prescribe and enforce such rules as may be necessary to secure the attendance of its members and the expeditious transaction of its business.

SEC. 23. Whenever, for any reason, the city clerk is unable to perform the duties of his office, the city council may by resolution appoint a temporary clerk who shall have all the power and perform all the duties of the regular clerk, and shall receive the same salary for the time he so acts, but at no event shall both the regular and temporary clerk receive pay at the same time, nor shall the regular clerk receive any pay for the time he fails to perform the duties of his office as herein provided.

SEC. 24. The city clerk shall, among other duties, keep the journal of the proceedings of the council. He shall safely and properly keep all records and papers belonging to the city which may be intrusted to his care; he shall be the general accountant of the city, and generally shall perform all the duties required of him by ordinance or orders of the council. He is hereby empowered to administer official oaths, and also oaths to persons certifying to demands or claims against the city.

SEC. 25. All officers elected or appointed to office under the city government shall be qualified voters under the laws and Constitution of this State and the ordinance of the city, and, except the city sextons, must be residents of the city. No person shall be elected or appointed to any office who shall at the time be in arrears for any unpaid city taxes, or forfeiture or defalcation in office.

SEC. 26. Every officer of the city and his assistants, and every councilman, before entering upon the duties of his office, shall take and subscribe to an oath or affirmation before some court of record in the county, or justice of the peace in the township, or the city clerk or the police judge, that he possesses all the qualifications prescribed for his office by law; that he will support the Constitution of the United States, and of the State of Missouri, the provisions of all laws of this State affecting cities of this class, and the ordinances of the city, and faithfully demean himself in office; which official oath or affirmation shall be filed by the city clerk. Every officer of the corporation, when required by law or ordinance, shall, within fifteen days after his election or appointment, and before entering upon the discharge of the duties of his office, give bond to the city in such sum and with such sureties as shall be designated by ordinance, conditioned for the faithful performance of his duty, and that he will pay over all moneys belonging to the city, as provided by law, that may come into his hands. If any person elected or appointed to any office shall fail to take and subscribe such oath or affirmation, or to give bond as herein required, his office shall be deemed vacant. For any breach of condition of any

such bond, suit may be instituted thereon by the city, or by any person in the name of the city for the use of such person.

SEC. 27. The term "officer," whenever used in this act, shall include any person holding any situation under the city government or any of its departments, with an annual salary, or for a definite term of office.

SEC. 28. Any failure on the part of any city officer to pay into the treasury of the city the balance reported by the mayor to be due from him to the city upon the adjustment of his account, shall cause a forfeiture of his office, and such balance shall bear interest at ten per cent. from the time it should have been accounted for until it shall have been paid into the treasury. The mayor shall immediately order suit to be commenced in the proper court against the delinquent officer or his bondsmen, for such balance. It shall be the duty of the officers of the city to report annually to the council, which report shall embrace a full statement of the receipts and expenditures of their respective offices, and such other matters as may be required by the council.

SEC. 29. The council shall have power to fix the compensation of all the officers and employes of the city; but the salary of an officer shall not be changed during the time for which he was elected or appointed.

SEC. 30. If a vacancy occur in any elective office, the mayor, or the person exercising the office of mayor, shall cause a special election to be held to fill such vacancy, giving ten days notice thereof by proclamation published in some newspaper published in the city: *Provided, however*, when any such vacancy occurs within six months of general municipal election, no election shall be called to fill such vacancy, but the same shall be filled by the mayor or the person exercising the office of mayor by appointment: *Provided, further*, that any vacancy in the office of councilman which may occur within six months shall be filled by election, in such manner as may be provided by ordinance. If a vacancy occur in any office not elective, the mayor shall appoint a suitable person to



discharge the duties of the same until the first regular meeting of the council thereafter, at which time such vacancy shall be permanently filled.

SEC. 31. Any member of the council or officer of the city who shall, in official capacity, or under color of his office, knowingly or willfully or corruptly vote or assent to, or report in favor of, or allow or certify for allowance, any claim or demand against the city, which claim or demand shall be on account of or under color of a contract or agreement not authorized by law and the ordinances of the city, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by imprisonment in the county jail for not more than one year, or by fine not exceeding five hundred dollars, or by both such fine and imprisonment.

SEC. 32. If any city officer shall be directly or indirectly interested in any contract under the city, or in any work done by the city, or in furnishing supplies for the city, or any of its institutions, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment; and upon the city council, or any member thereof, becoming satisfied that any officer of the city is so interested, the council shall, as soon as practicable, be convened to hear and determine the same, and if, upon investigation, such officer be found so interested, by a majority of all the members elected to the council, he shall be immediately dismissed from office.

SEC. 33. The duties, powers and privileges of officers of every character in any way connected with the city government, not herein defined, shall be prescribed by ordinance; and bonds may be required of any such officers for faithfulness in office.

SEC. 34. The marshal shall be chief of police, and shall have power at all times to make or order an arrest with proper process, for any offense against the laws of the city, and keep

the offender in the city prison or other proper place to prevent his escape, until a trial can be had before the proper officer, unless such offender shall give a good and sufficient bond for his appearance for trial. The marshal shall also have power to make arrests without process in all cases in which any offense against the laws of the city shall be committed in his presence. He shall collect all fines assessed in the police court, and pay the same into the city treasury.

SEC. 35. There may be one assistant marshal, who shall serve for a term of one year, and shall perform the duties of the marshal at such times as the marshal may be absent, disqualified or unable to act. At other times, the assistant marshal shall render services as a regular member of the police force.

SEC. 36. There shall be such number of regular policemen as may be deemed necessary by the council for the good government of the city; such policemen shall serve for a term of one year. Special policemen may be appointed for such times and in such numbers as may be prescribed by ordinance.

SEC. 37. The manner of appointing the assistant marshal and all policemen of the city, as well as the duties of the same, shall be defined by ordinance.

SEC. 38. The assistant marshal and policemen of the city shall have the same powers as the marshal relative to the arrest and commitment of all offenders against the laws of the city.

SEC. 39. The marshal shall, in the discharge of his duty, be subject to the orders of the mayor only; the assistant marshal and policemen shall in the discharge of their duties, be subject to the orders of the mayor and marshal only. The marshal, assistant marshal and policemen shall have power to serve and execute all warrants, subpoenas, writs, or other process, issued by the police judge of the city, at any place within the limits of the county within which the city is located. The marshal, assistant marshal and all policemen of the city shall be conservators of

the peace, and shall be active and vigilant in the preservation of good order within the city.

SEC. 40. The council shall, by ordinance, provide for the removal of any marshal, assistant marshal or policeman guilty of misbehavior in office.

SEC. 41. The police judge shall be a conservator of the peace, and shall have exclusive original jurisdiction to hear and determine all offenses against the ordinances of the city; and no change of venue shall be granted or taken in any trial before the police judge for the violation of any city ordinance. He shall keep a docket, in which he shall enter every case commenced before him, and the proceedings therein; and he shall deliver said docket and all books and papers pertaining to his office to his successor in office. If the police judge be absent, sick or disqualified from acting, the mayor shall designate a justice of the peace of the said city to act as police judge until such absence or disqualification shall cease: *Provided, however,* that should a vacancy happen in the office of police judge at a greater time than six months before a general municipal election, then a special election shall be held to fill such vacancy; and in case of vacancy in said office of police judge within less than six months of a general municipal election, the same shall be filled by some justice of the peace or other competent, eligible person of the city, to be appointed by the mayor.

SEC. 42. The council shall provide, at the expense of the city, a suitable court-room for the police judge, and he shall hold his court in such court-room, and his court shall be open every day but Sunday.

SEC. 43. All prosecution for violations of any city ordinance shall be entitled "the city of —— against ——," naming the city and the person or persons charged; and the police judge shall state in his docket the name of the complainant, the nature or character of the offense, the date of the trial, the names of all witnesses sworn and examined, the finding of the court or jury, the judgment or fine and costs, the date of payment, if any, the date of issuing commitment, if any, and all

other facts necessary to show the full proceedings in each case. The complaint, when made by marshal, assistant marshal, or any policeman, against any person arrested without process and in custody, shall be in writing and sworn to before a warrant be issued for his arrest. In no case shall a judgment of conviction be rendered except upon sufficient legal testimony given in a public trial, or upon a plea of guilty made in open court.

SEC. 44. All warrants issued by the police judge shall be directed to the city marshal, and such warrants may be executed by the marshal, assistant marshal or any policeman, at any place within the county in which the city is located. In case of the absence of the officer from the court, the police judge may deputize some person to execute any process issued by him.

SEC. 45. When any person shall be arrested and brought before the police judge, it shall be the duty of the police judge to hear and determine forthwith the complaint alleged against the defendant, unless for good cause the trial be postponed to a time certain, in which case he shall require the defendant to enter into recognizance, with sufficient security, conditioned that he will appear before said police judge at the time and place appointed, then and there to answer the complaint alleged against him; and if he fail or refuse to enter into such recognizance, the defendant shall be committed to prison and held to answer such complaint as aforesaid. Defendants shall be entitled to a trial by jury, as in prosecutions before justices of the peace.

SEC. 46. In case of the breach of any recognizance entered into as aforesaid, the same shall be deemed and declared forfeited, and the mayor shall cause the same to be prosecuted against the principal and surety, or either. Such action shall be in the name of the city as plaintiff, and may be prosecuted in the circuit court on the transcript of the proceedings before the police judge, and all moneys recovered in any such action shall be paid over to the city treasury to the general revenue fund of the city.

SEC. 47. Complaints filed in the court of the police judge

may include any number of persons charged with the same offense, and no pleadings shall be dismissed or defendant discharged by reason of any informality or irregularity in any complaint; but such complaint may, by leave of court, at any time before or during the trial, prior to the retirement of the jury or the finding of the police judge, be amended, without prejudice to the proceedings.

SEC. 48. The police judge shall be *ex officio* a justice of the peace within the limits of the city, with jurisdiction as to crimes and misdemeanors, but shall have no jurisdiction to hear or determine civil matters. The marshal (or in his absence the assistant marshal or any regular policeman) shall be *ex officio* a constable to wait upon the police judge when acting as a justice of the peace.

SEC. 49. If, in the progress of any trial before the police judge, it shall appear that the accused ought to be put upon his trial for an offense against the criminal laws of the State and not cognizable before him as a police judge, he shall immediately stop all further proceedings before him as police judge, and shall cause the complaint to be made before himself as a justice of the peace, or before some other justice of the peace, and the accused shall thereupon be proceeded against in the manner provided by general law. The police judge and marshal, when acting as justice of the peace and constable respectively, shall be entitled to receive therefor the same fees allowed by law for such services.

SEC. 50. When a trial shall be continued by the police judge, it shall not be necessary to summon any witness who may be present at the continuance; but the police judge shall verbally notify such witnesses as either party may require to attend before him on the day set for trial to testify in the case, and enter the names of such witnesses on his docket, which verbal notice shall be as valid as a summons.

SEC. 51. It shall be the duty of the police judge to summon all persons whose testimony may be deemed essential as witnesses at any trial before him, and to enforce their attendance



by attachment if necessary. The fees of witnesses and jurors in the police court shall be determined by ordinance.

SEC. 52. If the defendant plead or be found guilty, the police judge shall declare and assess the punishment prescribed by ordinance, according to his finding or the verdict of the jury, and render judgment accordingly and for costs of suit, and that the defendant stand committed until judgment is complied with.

SEC. 53. Any person who has been convicted in the police court and sentenced by the police judge, for violation of any ordinance of the city, whether the punishment be by fine or imprisonment, or by both, may be put to work and required to work and required to perform labor on the public streets, highways and alleys, or other public works or building of the city. and the marshal, street commissioner or other proper officer of the city shall have power and be authorized and required to have or cause all such prisoners to work out the full number of days for which they have been sentenced, at breaking rock, or at working upon public streets, highways or alleys, or other public works or buildings of the city as may be designated; and if the punishment is by fine, and the fine be not paid, then for every dollar of such judgment the person shall work one day. And it shall be deemed a part of the judgment and sentence of the court that such prisoner may be worked as herein provided.

SEC. 54. And defendant committed under the provisions of this act may be discharged on the payment of fine and costs, or upon perfecting an appeal as hereinafter provided.

SEC. 55. In all cases before the police judge arising under the ordinance of the city, an appeal may be taken from the judgment of the police judge to the court having criminal jurisdiction, except from judgment on a plea of guilty. Such appeals may be taken by either the city or the defendant or defendants. Such an appeal shall be taken in the time and manner provided by the statutes in relation to appeals from judgments of justices of the peace in cases of misdemeanors; *Pro-*

*vided*, however, that the city shall not be required to execute any bond. Upon such appeal the appellate court shall proceed with said cause in the same manner as is provided in cases of appeal from judgments of justices of the peace in cases of misdemeanor; and judgments of affirmance, dismissals and upon trials may be rendered and enforced as provided in the statute relating to misdemeanors.

SEC. 56. If, upon trial before the police judge, or the court to which the appeal is taken from the police judge, it appears to the satisfaction of the court, or the jury trying the cause, that the prosecution was malicious or without probable cause, the court shall so state in its finding, or the jury in its verdict, and the court shall enter judgment for costs against the prosecutor or party at whose instance the complaint was made, and shall issue execution therefor. The city shall in no event be held liable for any costs or fees to any police judge or marshal in any cause tried before the police judge of such city unless the defendant be convicted and committed.

SEC. 57. The police judge shall have power to administer oaths and enforce due obedience to all orders, rules and judgments made by him, and may fine or imprison for contempt of fered to such judge while holding court, in the same manner and to the same extent as the circuit court.

SEC. 58. The police judge shall, within the first three days of every month, make out a list of all the cases heard or tried before him during the preceding month, giving in each case the name of the defendant, the fine imposed, if any, the amount of costs, the names of the defendants committed and the cases appealed respectively. Such police judge shall verify such lists and statements by affidavit before the city clerk, and file the same forthwith with the city clerk, who shall lay the same before the council at its first session thereafter. The marshal shall within the three days aforesaid, pay to the city treasurer the full amount of fines collected by him during the preceding month. He shall take from the city treasurer duplicate receipts for the amount of fines, one of which he shall file with the city clerk.

SEC. 59. It shall be the duty of the city attorney to prosecute and defend all actions originating or pending in any court in this State to which the city is a party, or in which the interests of the city are involved, and shall, generally, perform all legal services required in behalf of the city. In any complaint made before the police judge, the city attorney may, if in his judgment the interests of the city demands it, require the complainant, or party at whose instance the complaint is made, to give security for costs, to be approved by the police judge, before proceeding further with the case.

SEC. 60. In any suit or action at law or in equity brought by or against the city, except in prosecutions begun before the police judge, the city council may, by resolution employ an attorney or attorneys, and pay him or them a reasonable fee therefor: *Provided*, that any city may, by ordinance, provide for the office of city counselor and his duties and compensation. Such city counselor, when so provided for, shall represent the city in all cases in the criminal and circuit courts, the Kansas City court of appeals and the St. Louis court of appeals, and the supreme court; shall draft all ordinances and contracts and all legal forms of every kind, and give legal advice to the council and other officers of the city, and perform such other duties as shall be prescribed by ordinance or shall be ordered by the council or the mayor. In any city where there is a city counselor, the duties of the city attorney shall be such as may be prescribed by ordinance.

SEC. 61. In assessing property, both real and personal, in cities of the third class, the city assessor shall, jointly with the county assessor, assess all property in such city, and such assessment, as made by the city and county assessor jointly, and after the same has been passed upon by the board of equalization, as hereinafter provided for, shall be taken as the basis from which the city council shall make the levy for city purposes; and for the purpose of giving cities of the third class representation on the county board of equalization, when said board is sitting for the purpose of equalizing the assessment on

such city property, the mayor and city assessor shall sit with the county board of equalization when the said board is passing upon the assessment of such city property, and shall each have a vote in said board, and they shall be paid for such service the same amount per day and out of the same fund as other members of such board of equalization. The assessment of city property as made by the city and county assessor shall conform to each other, and after such board of equalization has passed upon such assessment and equalized the same, the city assessors books shall be corrected in red ink in accordance with the changes made by the board of equalization, and so certified by said board, and then returned to the city council: *Provided*, that for the year 1893 the city tax levy shall be based upon a certified transcript of the county assessment lists, as provided in sections 1545, 1546 and 1547, Revised Statutes, 1889, made out and furnished by the county clerk, who shall be paid therefor by the city council.

SEC. 62. Upon the first day of January of each year all unpaid city taxes shall become delinquent, and the taxes upon real property are hereby made a perpetual lien thereon against all persons in favor of the city. The enforcement of all taxes authorized by this act shall be made in the same manner and under the same rules and regulations as are or may be provided by law for the collection and enforcement of the payment of State and county taxes, including the seizure and sale of goods and chattels, both before and after said taxes shall become delinquent: *Provided*, that all suits for the collection of city taxes shall be brought in the name of the State, at the relation and to the use of the city collector.

SEC. 63. It shall be the duty of the council to require the collector annually, on the first meeting of the council in April of each year, or as soon thereafter as may be, to make out, under oath, lists of delinquent taxes remaining due and uncollected for each year, to be known as the "land and lot delinquent list" and the "personal delinquent list." It shall be the duty of the council at the meeting at which said delinquent list shall be re-

turned, or as soon as may be thereafter, to carefully examine the same; and if it shall appear that all property and taxes contained in said lists are properly returned as delinquent, the council shall approve the same and cause a record thereof to be entered on the journal, and cause the amount thereof to be credited to the account of the city collector. The city council shall cause the lot and land delinquent list and the personal delinquent list to be returned to the city collector, who shall be charged therewith, and who shall proceed to collect the same in the same manner and under the same regulations as are or may be provided by law for the collection of delinquent lists of real and personal taxes for State and county purposes: *Provided*, that all suits for the collection of city taxes shall be brought in the name of the State, at the relation and to the use of the city collector.

SEC. 64. The city collector shall report to the city council, at the regular meetings of each month, all taxes collected on the real and personal delinquent lists; and he shall pay the same to the city treasurer, and receive credit therefor. He shall turn over to his successor all uncollected delinquent lists, receiving credit therefor, and his successor shall be charged therewith: *Provided*, that the city council may declare worthless any and all personal delinquent taxes which the council may deem uncollectable.

SEC. 65. The city council shall, within a reasonable time after the assessor's books of each year are returned, ascertain the amount of money to be raised thereon for general and other purposes, and fix the annual rate of levy therefor by ordinance.

SEC. 66. When the council shall have fixed the rate of taxation for any given year, the city clerk shall make out appropriate and accurate tax-books, and shall therein set out in suitable columns opposite the name of each person and item of taxable property, as returned by the assessor and board of equalization, the amount of taxes, whether general or special, due thereon, and shall charge the collector with the full amount



of taxes levied and to be collected; the clerk shall also charge the city collector with all licenses and other duties of all kinds to be collected.

SEC. 67. It shall be the duty of the city collector to pay into the treasury, monthly, all moneys received by him from all sources, which may be levied by law or ordinance; also, all licenses of every description authorized by law to be collected, and all moneys belonging to the city which may come into his hands. He shall give such bond and perform such duties as may be required of him by ordinance.

SEC. 68. The city council shall, from time to time, provide by ordinance for the levy and collection of all taxes, licenses, wharfage and other duties not herein enumerated, and for neglect or refusal to pay the same shall fix such penalties as are now or may hereafter be authorized by law or ordinance.

SEC. 69. The city council shall have the power to levy, annually, a poll-tax, not exceeding two dollars, upon each able-bodied male citizen between the ages of twenty-one and fifty years, who shall have been a resident of the city for thirty days next preceding the levy of said poll-tax, and said poll tax shall be collected by the collector as personal taxes are collected.

SEC. 70. The council shall have the power to levy, annually, taxes upon all taxable property within the city, in addition to other taxes, and in sufficient amount for the purpose of paying the interest and coupons as they become due on all bonds now issued and outstanding, and such taxes shall be collected in the same manner and time as other taxes. The mayor and council shall also have the power, by ordinance, to issue bonds, payable in one year, to an amount not exceeding half the current revenue for the fiscal year, and also to issue bonds in renewal of other bonds of the city maturing for the requisite amount, and which the city has no funds to pay: *Provided, however*, that such renewal bonds shall not bear any greater rate of interest than did the original bonds, and shall not run for a longer time than ten years. The mayor and

shall also have power by ordinance to issue bonds for the purpose of funding the floating indebtedness of the city existing at the time of its incorporation as a city of the third class. *Provided, however,* that such bonds shall not draw any greater rate of interest than six per cent per annum, payable semi-annually, and shall not run for a longer time than ten years.

SEC. 71. In case the corporate authorities of the city have attempted to levy any tax or assessment for improvements, or for the payment of interest or coupons on bonds issued and outstanding, or other evidences of debt, which tax or assessment may be informal, illegal or void in consequence of a failure to comply with the requirements of law, the council shall have power to revoke and reassess any such tax or assessment, in manner provided in this act.

SEC. 72. The council shall have power to levy and all merchants shall pay the city collector, an *ad valorem* tax equal to that which is levied upon real estate; the amount of which tax shall be determined and ascertained in the same way as the State and county tax is determined and ascertained; and the collector shall have power to enforce the payment of the same by seizure and sale, as in the collection of other taxes.

SEC. 73. All license tax shall be regulated by ordinance, and no license shall be issued until the amount prescribed therefor shall be paid to the city collector, and no license shall in any case be assigned or transferred. Licenses shall be signed by the mayor and clerk, and countersigned by the collector, and the clerk shall affix the corporate seal of the city thereto.

SEC. 74. The city council shall have no power to relieve any person from the payment of any tax, or exempt any person from any burden imposed by law.

SEC. 75. The city council shall have power, at its regular meetings in July of each year, to receive sealed proposals for the custody of the city funds from any banking corporation, association or individual banker doing business within the city that may desire to be selected as the depository of the funds of

the city. Notice that such bids will be received shall be published by the city clerk, not less than one nor more than four weeks before such meeting, in some newspaper published in the city. Any banking corporation, association or individual banker doing business in the city desiring to bid shall deliver to the city clerk on or before the day of such meeting, a sealed proposal stating the rate percent. upon daily balances that such banking corporation, association, or individual banker offers to pay to the city for the privilege of being made the depository of the funds of the city for the year next ensuing the date of such meeting; or, in the event that said selection shall be made for a less term than one year, as hereinafter provided, then for the time between the date of said bid and the next regular time for the selection of a depository, as aforesaid. It shall be a misdemeanor for the city clerk or other person to directly or indirectly disclose the amount of any such bid to any person or persons before the selection of such depository.

SEC. 76. Upon the opening of the sealed proposals submitted, the city council shall select as the depository of the funds of the city the banking corporation, association or individual banker, offering to pay to the city the largest amount for such privilege: *Provided, however*, the council shall have the right to reject any and all bids. Within five days after the selection of such depository, it shall be the duty of the banking corporation, association or individual banker so selected to execute a bond payable to the city, to be approved by the mayor and filed with the city clerk, with not less than three solvent sureties, who shall own unencumbered real estate in the State of as great value as the amount of said bond—the penalty of said bond to be at least double the revenues of the city for any one year, and conditioned for the faithful performance of all the duties and obligations devolving by law or ordinance upon said depository, and for the payment upon presentation of all checks drawn upon said depository by the city treasurer, whenever any funds shall be in said depository applicable to the payment of said check, and all funds of the city shall be faithfully kept by said deposi-

tory and accounted for according to law; and for a breach of said bond, the city, or any person injured, may maintain an action in the name of the city to the use of the person injured thereby.

SEC. 77. As soon as said bond shall be given and approved, an order shall be made by the council designating said banking corporation, association or individual banker as the depository of the funds of the city until the time fixed by this act for another selection, and such order shall be entered upon the journal. Thereupon it shall be the duty of the city treasurer, immediately upon the making of said order, to transfer to said depository all the funds in his hands belonging to the city, and immediately upon the receipt of any money thereafter he shall deposit the same with said depository to the credit of the city; and for each and every failure to make such deposit the treasurer and his bondsmen shall be liable to said depository for ten per cent. per month upon the amount not so deposited, to be recovered by civil action in any court of competent jurisdiction. If any banking corporation, association or individual banker, after having been selected as such depository, shall fail to give said bond within the time provided by this act, then the selection of such banking corporation, association or individual banker as the depository of the city funds shall be set aside and be null and void, and the city council shall, after notice published in the manner hereinbefore provided, proceed to receive new bids and select other depository.

SEC. 78. It shall be the duty of the city treasurer, upon the presentation to him of any warrant drawn by the proper authority, if there shall be money enough in the depository belonging to the fund upon which said warrant is drawn and out of which the same is payable, to draw his check as city treasurer upon the city depository in favor of the legal holder of said warrant, and to take up said warrant and charge the same to the fund upon which it is drawn; but in no case shall the city treasurer draw any check upon any fund in the city depository unless there is sufficient money belonging to the fund upon which

said warrant is drawn to pay the same. No money belonging to the city shall be paid out of the city depository except upon the checks of the city treasurer; and all such checks shall be payable by said depository at its place of business in the city. In case any bonds or coupons or other indebtedness of the city are payable, by the terms of such bonds, coupons or other indebtedness, at any particular place other than the city treasury, nothing herein contained shall prevent the city council from causing the treasurer to place a sufficient sum at the place where such bonds, coupons or other indebtedness shall be payable at the time of their maturity, to meet the same.

SEC. 79. If, for any reason, no selection of a depository is made at the time fixed by this act, the city council may, at any subsequent meeting, after notice published as hereinbefore provided, receive bids and select a depository in the manner herein set out, and the banking corporation, association or individual banker, so selected shall remain the depository until the next regular term for the selection of a depository, unless the order selecting it be revoked for the causes specified in this act. If the city council shall at any time deem it necessary for the protection of the city, it may, by resolution, require the depository to execute a new bond, and upon failure to do so within five days after the service of a copy of the resolution on said depository, the city council may proceed to select another depository in the manner hereinbefore provided. The city treasurer shall not be responsible for the any loss of city funds through negligence, failure or wrongful act of such depository, but nothing in this act shall relieve said treasurer from responsibility for any loss resulting from any official misconduct on his part, or from responsibility for the funds of the city at any time when, for any reason, there shall be no city depository, or until a depository shall be selected and the funds deposited therein, or for any misappropriation of such funds in any manner by him.

SEC. 80. No check shall be drawn upon the city depository by the treasurer, except on a warrant signed by the mayor



and attested by the clerk. No warrant shall be drawn upon the treasury, nor shall any ordinance be passed appropriating money, unless there be an unexpended balance to the credit of the city in the fund upon which such warrant is drawn to meet such warrant, or a sufficient sum of unappropriated money in the fund upon which such ordinance [warrant] is drawn to meet such ordinance [warrant]. Every bill that contemplates the payment of money shall, upon its second reading, be referred to the treasurer for his endorsement, to the effect that a sufficient sum stands to the credit of the city, unappropriated, in the fund covered by such ordinance, to meet the requirements of such bill; and it shall be a misdemeanor for any councilman to vote for the passage of any such ordinance without the aforesaid endorsement of the treasurer thereon. The treasurer shall report to the council on or before the first day in July in each year the amount of receipts and expenditures of the treasury, the amount of money on hand, and the amount of bonds falling due for the redemption of which provision must be made; also, the amount of interest to be paid during the next fiscal year. He shall also perform such other duties in the line of his office as may be required of him by ordinance.

SEC. 81. Whenever there shall be in the treasury any money belonging to any sinking fund of any city of the third class which cannot be applied to the payment of existing debts for which such fund has been levied and collected, the city council may provide by ordinance for loaning the same at the highest rate of interest that can be obtained, not exceeding eight nor less than six per cent. per annum, payable annually, the same to be loaned upon improved real estate in the county in which such city is situated, and for such time as such money cannot be applied to the payment of the debt for which it was levied and collected; no loan shall be for more than fifty per cent. of the value of the property given as security, and shall be secured by a deed of trust on the same, and any such lands so taken as security shall be free from all liens or incumbrances. In addition to the security above provided for, the city may require a

bond with good and sufficient securities, and no loan shall be made to any person not an inhabitant of the county in which such city is situated, nor shall any person be accepted as security who is not at the time a resident of the county in which such city is situated, and who does not own property equal in value to the sum for which he is security and free from all debts and encumbrance, and exempt from execution and attachment. Before any loan is made on such real estate security, the party applying therefor shall file with the city clerk a complete abstract of title to the land offered as security, and no loan shall be made on any land to which the title is not good. All bonds executed by persons receiving such loans shall be made payable to the city, and shall specify the time when the principal is payable, also state the rate of interest and the time when payable; that in default of payment when due, or failure by principal in the bond to give additional security when the circumstances shall require it, both the principal and all accrued interest shall become immediately due and payable, and that all interest not punctually paid shall become as principal and bear the same rate of interest as the principal. The city council shall have power from time to time to require additional security to be given on said bond when, in their judgment, it is deemed necessary. If such security shall not be given within ten days after an order to that effect is made by the council, and a copy of said order served upon the borrower, and in all cases where default is made in the payment of the interest, the council shall proceed to enforce the payment of the same according to law; all of which shall be fully provided for by ordinance.

SEC. 82. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of — as follows." No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the ayes and nays shall be entered on the journal; and all bills shall be read three times before their passage. No ordinance shall be revived or re-enacted by mere reference to the title thereof, but

The same shall be set forth at length, as if it were an original ordinance. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or his veto.

SEC. 83. Every bill duly passed by the council and presented to the mayor, and by him approved, shall become an ordinance, and every bill presented as aforesaid, but returned with his objections thereto, shall stand reconsidered. The council shall cause the objections of the mayor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass the objections of the mayor thereto notwithstanding?" The vote on this question shall be taken by ayes and nays and the names entered upon the journal, and if two-thirds of all the members-elect shall vote in the affirmative, the president shall certify the fact on the roll, and the bill thus certified shall be deposited with the proper officer, and shall become an ordinance in the same manner and with like effect as if it had received the approval of the mayor. The mayor shall have power to sign or veto any ordinance passed by the city council: *Provided*, that should he neglect or refuse to sign any ordinance and return the same with his objections, in writing, at the next regular meeting of the council, the same shall become a law without his signature.

SEC. 84. The mayor and council of each city governed by this act shall have the care, management and control of the city and its finances, and shall have power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this State, and such as they shall deem expedient for the good government of the city, the preservation of peace and good order, the benefit of trade and commerce, and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify or repeal the same.

SEC. 85. The council shall enact ordinances to prohibit and suppress houses of prostitution and other disorderly houses and practices, and gambling houses and all kinds of public indecencies, and may prohibit the selling or giving of intoxicating liquors to any minor or habitual drunkard. The council shall also enact ordinances to restrain and prohibit riots, noises, assaults, assaults and batteries, petit larceny, disturbances of the peace, disturbances of religious and other lawful assemblies, indecent shows, exhibitions or concerts in any street, house or place in the city, disorderly assemblies, and to regulate, restrain and prevent the discharge of fire-arms, and the keeping and discharge of rockets, powder, fireworks or other dangerous combustible materials in the streets or in the limits of the city. The city council may also regulate and control the construction of buildings, the construction and cleaning of fire-places, chimneys, stoves and stove-pipes, ovens, boilers, kettles, forges, or any apparatus used in any building, manufactory or business, which may be dangerous in causing or promoting fires, and may provide for the inspection of the same. The council may also prescribe by ordinance, limits within which no building shall be constructed except of brick or stone or other incombustible materials, with fire-proof roofs, and impose a penalty for the violation of such ordinance, and may cause buildings commenced, put up or removed into such limits, in violation of such ordinance, to be removed or abated. The council may also purchase fire engines, hook and ladder outfits, hose and hose-carts, buckets and all other apparatus useful in the extinguishing of fires, and organize fire companies, and prescribe rules of duty for the government thereof, with such penalties for the violation thereof as they may deem proper, not exceeding one hundred dollars, and to make all necessary expenditures for the purchase of such fire apparatus and the payment of such fire companies.

SEC. 86. The council may prescribe limits within the city within which no lumber yard or wood-yard or coal-yard shall be kept, and may regulate, restrain or prohibit the erection or maintenance of any fence composed in whole or in part of barbed

wire along or adjacent to any public street, avenue, alley, park, cemetery or other public place. The council may also regulate or prohibit the running at large of cattle, hogs, horses, mules, sheep goats and other animals, and domestic geese, and cause such as may be running at large to be impounded and sold in such manner and time as may be provided by ordinance; the council may also provide penalties for the owners who shall permit such animals or geese to run at large. The council may also provide for the erection of all needful pounds, pens and buildings for the use of the city within or without the city limits, and appoint and compensate keepers thereof, and establish and enforce rules governing the same. The council may also tax, regulate, restrain and prohibit the running at large of dogs, and provide for their destruction when at large contrary to ordinance, and impose penalties on the owners or keepers thereof.

SEC. 87. The council may prohibit and prevent all encroachments into and upon the sidewalks, streets, avenues, alleys and other public places of the city, and may provide for the removal of all obstructions from the sidewalks, curbstones, gutters and cross-walks at the expense of the owners or occupants of the ground fronting thereon, or at the expense of the person causing the same; the council may also regulate the planting of shade trees, erecting of awnings, hitching-posts, lamp-posts, awning-posts, telephone, telegraph and electric light poles, and the making of excavations through and under the sidewalks or in any public street, avenue, alley or other public place within the city. The council may prevent and punish for all horse-racing, or other racing, fast driving or training in the streets, highways, avenues, alleys, or over bridges or through tunnels in the city, and all games, practices or amusements therein likely to result in damage to any person or property, and to regulate, prevent and punish for the riding, driving, leading, standing, hitching or passing of horses, mules, oxen, or other teams or stock or animals or any vehicle over or upon or across or along any sidewalk, street, avenue or alley of the city.



SEC. 88. The council may make regulations and pass ordinances for the prevention of the introduction of contagious diseases into the city, and for the abatement of the same, and may make quarantine laws and enforce the same within five miles of the city. The council may purchase or condemn and hold for the city, within or without the city limits, within ten miles therefrom, all necessary lands for hospital purposes, water-works, sewer carriage and out fall, and erect, establish and regulate hospitals, work-houses, poor-houses, and provide for the government and support of the same, and make regulations to secure the general health of the city, and to prevent and remove nuisances: *Provided, however*, that the condemnation of any property outside of the city limits shall be regulated in all respects as the condemnation of property for railroad purposes is regulated by law; *and provided further*, that the police jurisdiction of the city shall extend over such lands and property to the same extent as over public cemeteries, as provided in this act.

SEC. 89. The council may establish, alter and change the channel of water-courses, and wall them and cover them over, and prevent obstructions thereon, and may establish, make and regulate public wells, cisterns and reservoirs of water, and provide for filling the same. The council may purchase grounds and erect and establish market-houses and market places, and regulate and govern the same; and also contract with any person or persons, association or corporation for the erection, maintenance and regulation of market-houses and market places, on such terms and conditions and in such manner as the council may prescribe. The council may also provide for the erection, purchase or renting of a city hall, work-houses, houses of correction, prisons, engine-houses and any and all other necessary buildings for the city; and may sell, lease, abolish or otherwise dispose of the same, and may enclose, improve, regulate, purchase or sell all public parks or other public grounds belonging to the city, and may purchase and hold grounds for public parks within the city, or within three miles thereof.

SEC. 90. The council shall have power to regulate levees, wharves, landings, depots, depot-grounds and places for storing freight and goods, and provide for the passage for railways through the streets and public grounds of the city; also to regulate the crossing of railroad tracks, and the crossing of streets, avenues and alleys by railroad tracks, and to provide for the illumination of the same and the stationing of watchmen thereat, and to provide precautions and prescribe rules regulating such railways and crossings, and to regulate the running, handling and operation of railway engines and cars within the limits of the city, and to prescribe rules relating thereto, and to govern the speed of railway engines, cars and trains, and to make and enforce rules or restrictions to prevent accidents at crossings, and on the tracks of railways, and to prevent fires from engines; and may provide punishment or fines, within the limits of this act, for any person or corporation violating the ordinances authorized by this section.

SEC. 91. The council may prescribe rules and provide methods by ordinance for the inspection, weighing and measuring of any commodity sold in the city in all cases not otherwise provided for by law, and may provide for the selling, weighing and inspecting of meats, poultry and vegetables, of butter, lard, and other provisions and articles of food; and may provide for the inspecting and measuring of wood, coal and fuel, lumber, shingles, timber and all kinds of building material, and shall have power to appoint inspectors and measurers; and may make provisions for the inspection of steam boilers, and all steam-heating apparatus, and to license engineers using steam boilers in the city, and may regulate the place or places where hay, lime, lumber, timber, wood, coal and all kinds of fuel shall be exposed for sale, and fix the fees of the person or persons appointed to perform the duties named in this section.

SEC. 92. The council shall have power, by ordinance, to secure the general health of the inhabitants of the city by any measure to regulate, suppress or abate slaughter-houses, slaughtering animals, stock yards, soap and other factories, pig-pens,

cow-stables and other stables and dairies, coal-oil tanks and factories, and to remove the same; and to regulate or prevent the carrying on of any business which may be dangerous or detrimental to the public health, or the manufacturing or vending of articles obnoxious to the health of the inhabitants; to prevent, abate and remove nuisances in a summary manner at the cost of the occupant or owner of the premises where the nuisance or the cause thereof may be: *Provided*, that the same was caused by the occupant or owner of the premises or his agent; and all costs and expenses incurred by the city in removing or abating any nuisance on private property within the city limits may be assessed against the occupant or owner, if caused by them or either of them or their agent, and the same shall be assessed by the council as a special tax-bill against such private property, which shall be a special lien against such property in the same manner and with the same effect that special tax-bills are for paving; or the cost of removing or abating such nuisance may be made a part of the judgment by the police judge, in addition to the fine imposed, in case of conviction in the police judge's court of the person causing or maintaining any such nuisance; and the power is hereby given the city council to provide punishments for persons causing or maintaining nuisances in the city, or within one mile thereof. The council may also provide for a health commissioner and board of health to perform such duties and such powers as may be prescribed by ordinance; and may provide for the condemnation of goods, merchandise, clothing, furniture and other personal property containing the germs of contagious or infectious dangerous disease, whenever the same is necessary for the health of the city; but in every case where private property is so condemned and destroyed, due compensation shall be made to the owner thereof, upon the appraisement of five disinterested commissioners appointed by the mayor.

SEC 93. The council may prohibit and punish for the carrying of concealed deadly weapons, and may arrest and imprison, fine or set to work all vagrants found within the city.

SEC. 94. The council may provide by ordinance for sprinkling and cleaning, or either or both, the streets and avenues, or any part thereof, of the city, and may assess the cost and expense thereof as a special tax upon all real estate abutting upon the street or avenue, or part thereof, sprinkled or cleaned, in proportion to the front foot, and may issue, or cause to be issued, special tax-bills therefor, which shall be a lien on such real estate until paid: *Provided*, that before any such assessment shall be made, the council shall pass a resolution declaring such street sprinkling or cleaning necessary to be done, and shall cause such resolution to be published at least one week in some newspaper published in the city, and if a majority of the resident owners of the property abutting upon such street or avenue, or part thereof, proposed to be sprinkled or cleaned, shall not, within ten days thereafter, file with the clerk of said city their protest against such sprinkling or cleaning, then the council shall have power to contract therefor and cause the same to be done: *Provided, further, however*, that in no case shall the cost of such sprinkling or cleaning exceed five cents each per front foot per month upon the property abutting upon such street or avenue, or part thereof. The method of making said assessments and collecting the same shall be provided by ordinance.

SEC 95. The council may provide for and regulate the lighting of streets and the erection of lamp-posts, poles and light therefor, and shall have power to make contracts with any person for [or] association or corporation for the lighting of the streets and other public places of the city with gas, electricity or otherwise: *Provided*, that no such contract shall be made for a longer time than ten years: *Provided further*, that no such contract shall have any legal force until the same shall have been ratified by a two-thirds majority of the qualified voters of said city, voting at an election held for that purpose. The council shall have the right, also, to erect, maintain and operate gas-works, electric light works or light works of any other kind or name, and to erect lamp posts, electric light

poles, or any other apparatus or appliances necessary to light the streets, avenues, alleys or other public places, and to supply private lights for the use of the inhabitants of the city and its suburbs, and to regulate the same, and to prescribe and regulate the rates to be paid by the consumers thereof, and to acquire by purchase, donation or condemnation, suitable ground within or without the city, upon which to erect such works, and the right of way to and from said works, and also the right of way for laying gas-pipes, electric wires under or above ground, and erecting posts and poles and such other apparatus and appliances as may be necessary for the efficient operation of such works. *Provided*, that the council may in its discretion grant the right to any person or persons or corporation to erect such works and lay the pipe, wires and erect the posts, poles and other necessary apparatus and appliances therefor, upon such terms as may be prescribed by ordinance: *Provided further*, that such right to any such person, persons or corporation shall not extend for a longer period than twenty years, and shall not be granted nor renewed unless by consent of a majority of the qualified voters of the city, voting at an election held for such purpose.

SEC. 96. The council shall have power to make contracts with any person, association or corporation for furnishing the city with water, and for supplying fire hydrants and public fountains: *Provided*, that no such contract shall be made for a longer time than twenty years; *and provided*, that no such contracts shall have any legal force until the same shall have been ratified by a vote of two-thirds majority of the qualified voters, voting at an election to be held for that purpose. The council shall have the right also to erect, maintain and operate water-works for the city, and to regulate the same, to prescribe and regulate the rates to charge to private consumers of water furnished from such water-works, and to acquire by purchase, donation or condemnation, suitable grounds within or without the city upon which to erect said works, and the right of way to and from said works, and also the right of way for laying



water-pipes and posts and telephone, telegraph or electric wires and poles, under or above ground, as may be necessary for the efficient operation of said water-works; all of which shall be done in such manner as shall be prescribed by ordinance: *Provided*, that the council may in its discretion grant the right to any person, persons or corporation to erect, maintain and operate water-works, and lay pipes, erect poles and telegraph, telephone and other electric wires, under or above ground, as may be necessary for the efficient operation of said works, upon such terms as the council may by ordinance prescribe: *Provided further*, that in no case shall such right extend for a longer period than twenty years, and shall not be granted nor renewed unless by the consent of a majority of the qualified voters of the city, voting at an election held for that purpose: *Provided*, that nothing in this and the preceding section shall be so construed as to prevent city councils from contracting with any persons, associations or corporations for supplying fire hydrants and public fountains, and to furnish the city with gas or electric lights in cities where franchises have already been granted and where water-works and electric plants already exist, without a vote of the people.

SEC. 97. The council shall have power to cause a general sewer system to be established, which shall be composed of three classes of sewers, to-wit, public, district and private sewers. Public sewers shall be established along the principal courses of drainage, at such points, to such extent, of such dimensions and under such regulations as may be provided by ordinance, and these may be extensions or branches of sewers already constructed or entirely new throughout, as may be deemed expedient. The council may levy a tax on all property made taxable for State purposes over the whole city, to pay for the constructing, reconstructing and repairing of such work, which tax shall be called "special public sewer tax," and shall be such amount as may be required for the sewer provided by ordinance to be built, and the fund arising from said tax shall be appropriated solely to the constructing, reconstructing and repairing of said sewer.

SEC. 98. District sewers shall be established within the limits of the districts, to be prescribed by ordinance, and shall connect with public sewers or other district sewers, or with the natural course of drainage, as each case may be. Such districts may be subdivided, enlarged or changed by ordinance at any time previous to the construction of the sewer therein; and more than one district sewer may be laid in a sewer district if deemed necessary by the council for sanitary or other purposes. The council shall cause sewers to be constructed in each district whenever a majority of the property holders, residents therein, shall petition therefor, or whenever the council shall deem such sewers necessary for sanitary or other purposes, and said sewers shall be of such dimensions and materials as may be prescribed by ordinance, and may be changed, enlarged or extended, and shall have all the necessary laterals, inlets, catch-basins, man-holes and other appurtenances. As soon as any district sewer shall have been completed, the city engineer or other officer having charge of the work shall compute the whole cost thereof, and shall apportion the same against the lots or pieces of ground, exclusive of improvements, in proportion to the area of the whole district, exclusive of the public highways, and such officer shall report the same to the council by bill or otherwise, and the council shall thereupon levy and assess a special tax, by ordinance, against each lot or piece of ground within the district, in the name of the owner thereof; whereupon the city clerk shall make out a certified tax-bill, under the seal of the city, of such assessment against each lot or piece of ground within the district, in the name of the owner thereof. Said certified tax-bills shall be signed by the mayor and attested and recorded by the city clerk, and shall be delivered to the contractor for the work, who shall proceed to collect the same by the ordinary process of law, in the name of the city, to his own use, and in case of absent owners, he may sue by attachment, or any other process known to the law; and every such certified bill shall be a lien against the lot of ground described therein, and shall bear interest at the rate of 8 per cent. per annum from

30 days after the issue thereof, unless sooner offered to be paid, and if not paid or offered to be paid within six months after the date of issue, each such certified bill shall bear interest at the rate of 15 per cent. per annum until paid, and every such certified bill shall, on action brought to recover the amount thereof, be *prima facie* evidence of the validity of the charges against the property therein described, and the liability of the person therein named as the owner of such property.

SEC. 99. Private sewers connected with the public and district sewers may be constructed under such restrictions and regulations as the council may prescribe by general ordinance; but the city shall be at no expense in the construction, repairing or cleaning of the same; the city shall incur no liability for building district sewers, except when the city is the owner of a lot of ground within the district, and in that case the city shall be liable for the costs of said sewer, in the same manner as other property owners within the district. The repairs, cleaning and other incidental expenses of district sewers shall be paid out of a general appropriation for that purpose. No sewer shall be run diagonally through private property, when it is as practicable, without injury to such sewer, to construct it parallel with one of the exterior lines of such property; nor shall any public sewer be constructed through private property when it is as practicable to construct it along or through a street or other public highway. The council shall have the power to condemn private property for public use, occupation or possession in the construction and repair of public and district and private sewers, in the same manner as other property is condemned within the city for public uses.

SEC. 100. The city council shall have power to purchase, receive and hold real estate, as heretofore mentioned, for public cemetery purposes, either within the city or within three miles thereof: *Provided*, that no such cemetery shall exceed more than 160 acres in one body. The council shall provide for the survey, platting, grading, fencing, ornamenting and improving of all the cemetery ground and the avenues leading thereto, owned

by the city, and may construct walks and protect ornamental trees therein, and provide for paying the expenses therefor. The council may make rules and pass ordinances imposing penalties and fines, not exceeding one hundred dollars, regulating, protecting and governing city cemeteries, the owners of lots therein, visitors thereto, and punishing trespassers therein; and the officers of such city shall have as full jurisdiction and power in the enforcing of such rules and ordinances as though they related to the city itself.

SEC. 101. The cemetery lots shall be conveyed by certificates, signed by the mayor and countersigned by the clerk, under the seal of the city, specifying that the purchaser to whom the same is issued is the owner of the lot or lots described therein by numbers, as laid down on such map or plat, for the purpose of interment, and such certificates shall vest in the purchaser, his or her heirs and assigns, a right in fee-simple to such lot for the sole purpose of interment, under the regulations of the council; and such certificates shall be entitled to be recorded in the office of recorder of deeds of the proper county without further acknowledgment; and such descriptions of lots shall be deemed and recognized as sufficient description thereof. The council may limit the number of lots to be owned by the same person at the same time, and may prescribe rules for enclosing, adorning and erecting monuments, tombstones and ornaments on cemetery lots, and any improper adornment thereof; but no religious test shall be made to the ownership of the lots, or burials therein, or for the ornamentation of graves or lots.

SEC. 102. Whenever a petition as is now provided by law is presented to the county court of any county for the opening, extension or widening of any county road along and adjoining the corporate limits of any city of the third class, such court shall proceed as is now authorized by law to condemn the right of way of such road, the maximum width of which shall not be over eighty feet. Before such road, however, shall be declared opened or the possession of such property for such right of way be taken for public use, the council of such city

shall ascertain, in the manner hereinafter provided in this act, the proportionate amount of benefits resulting to the owners of land adjacent thereto within the corporate limits of such city, who shall contribute toward compensating the person injured, and such amount shall constitute a lien in favor of the city on the said adjacent land, and the person or persons who shall be benefited and so assessed shall pay in such manner as hereinafter provided. The city authorities shall define by ordinance the limits within which private property is deemed benefited by the opening, extension or widening as aforesaid, and the owners of private property within such limits shall be notified as hereinafter set out, and appeals may be taken as hereinafter provided.

SEC. 103. The council may by ordinance, and at the expense of the city, cause to be taken a census of its population by a suitable person to be appointed by the governor of the State. When so taken, the result shall be reported to the council and spread upon the records, and a copy thereof, certified by the city clerk under the seal of the city, shall be filed with the secretary of state. If such report shows that the city has over ten thousand inhabitants, the city council may levy on all subjects and objects of taxation for city purposes not to exceed sixty cents on the one hundred dollars valuation. Should the population be less than ten thousand inhabitants, said rate shall not exceed fifty cents on the one hundred dollars valuation.

SEC. 104. All claims against the city must be presented in writing, with full account of the items, and verified by the oath of the claimant or his agent that the same are correct, reasonable and just, and no claim shall be audited or allowed unless presented and verified as provided in this section. No costs shall be recovered against the city in any action brought against it for any unliquidated claim which has not been presented to the council to be audited, nor upon claims allowed in part, unless the recovery shall be for a greater sum than the amount allowed, with interest due: *Provided*, that no action shall be maintained against such city in exercising or failing to exercise



any corporate power or authority, in case where such action would not lie against a private individual under like circumstances.

SEC. 105. The council shall have sole authority, by ordinance, to grant the right to any person or persons, or corporation, to make and construct railroads or street railroads in any street or highway of the city, and to control and regulate the use thereof: *Provided*, that no such railroad or street railroad shall be located on any street or highway in the city, or any portion of such street or highway, until a majority of the residents, owners of land abutting on said street or highway, or such portion thereof, shall first assent thereto in writing; *and provided, further*, that no such railroad or street railroad shall be constructed or operated until all damages to such abutting lands shall have been first ascertained and paid to the owners thereof by the person, persons or corporation constructing said railroad or street railroad, and the city council shall pass suitable ordinances providing the manner and way of ascertaining any damages contemplated by this section.

SEC. 106. The city council are hereby authorized and empowered to provide for the purchase of ground, and for the payment of the same, and all necessary work of improvement specified in this act, by the issue of bonds or otherwise, subject, however, to the conditions and limitations herein specified. No city shall be allowed to become indebted in any manner or for any purpose to an amount exceeding in any one year the income and revenue provided for such year, without the assent of two-thirds of the voters of such city, voting at an election to be held for that purpose, nor in any case requiring such assent shall any indebtedness be allowed to be incurred to an amount, including existing indebtedness, in the aggregate exceeding five per centum on the value of the taxable property therein, to be ascertained by the assessment next before the last assessment for State and county purposes, previous to the incurring of such indebtedness: *Provided*, that any city in incurring any indebtedness requiring the assent of the voters

as aforesaid, shall, before at the time of doing so, provide for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for payment of the principal thereof within twenty years from the time of contracting the same, and may provide by ordinance the manner of conducting said election under this section, and ascertaining the result of the same.

SEC. 107. The council shall have power and authority to levy and collect a license tax on beer depots or store-rooms auctioneers, druggists, hawkers, peddlers, banks, brokers, pawn-brokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, hotels, public boarding-houses, dram-shops, saloons, liquor sellers, billiard and pool tables and other gaming tables, bowling alleys, hay scales, lumber dealers, livery-stable keepers, real estate agents, loan companies, loan agents, public buildings, public halls, opera houses, public grounds, concerts, photographists, bill-posters, artists, agents, porters, runners, drummers, public lecturers, public meetings, circuses and shows, for parades and exhibitions, or both, horse and cattle dealers, patent-right dealers, stock-yards, wagon-yards, inspectors, gaugers, mercantile agents, insurance companies, insurance agents, manufacturing and other corporations or institutions, street railroad cars, hackney carriages, omnibuses, carts, drays, transfer and job wagons, ice-wagons, and all other vehicles, traveling and auction stores, and all other businesses, trades and avocations whatever, and fix the rate of carriage of persons and wagonage, drayage and cartage of property; and to license, tax, regulate or suppress ordinaries, money brokers, money changers, intelligence and employment offices and agencies, public masquerades, balls, street exhibitions, dance-houses, fortune tellers, pistol galleries, corn doctors, private venereal hospitals, museums, menageries, equestrian performances, horoscopic views, telescopic views, lung-testers, muscle-developers, magnifying glasses, ten-pin alleys, ball alleys, billiard tables, pool or other tables, theatrical or other exhibitions,

boxing and sparring exhibitions, shows and amusements, tippling-houses, gift enterprises, and sales of unclaimed goods by express companies or common carriers; to license, tax and regulate hackmen, draymen, omnibus drivers, porters and others pursuing like occupations with or without vehicles, and to prescribe their compensation; and to regulate, license and restrain runners for steamboats, cars, stages and public houses; and to license ferries, and to regulate the same and the landing thereof within the limits of the city.

SEC. 108. The cities coming under the provisions of this act, in their corporate capacities, are authorized and empowered to enact ordinances for the following purposes and upon the conditions in this section specified, in addition to the other powers granted by law:

*First*—to levy and collect taxes for general revenue purposes on all mixed, personal and real property within the limits of said cities, taxable according to the laws of this State.

*Second*—To open and improve streets, avenues, alleys and other highways, and to make sidewalks and build bridges, culverts and sewers within the city, and to exercise exclusive control over streets and alleys, and establish grades therefor.

*Third*—The cost of bringing to grade all streets, avenues and alleys and other highways, and for the building of bridges and culverts and public sewers and foot-walks across streets, avenues, alleys and other highways, may be paid out of the general revenue fund of the city, or an assessment shall be made therefor on all the taxable property within the limits of the city, not exceeding five mills on the dollar for these purposes in any one year.

*Fourth*—For making and repairing sidewalks and sidewalk curbing, the cost thereof shall be levied as a special assessment on all lots and pieces of ground abutting on such improvements, in proportion to the front foot thereof: *Provided*, that corner lots shall be liable for the extension of curbs and sidewalks to the curb lines each way.

*Fifth*—The cost of paving, macadamizing, guttering and

curbing (where such curb is set out into the street beyond the sidewalks) all streets, avenues, alleys and other highways, or any part thereof or any connections therewith, and repairing the same, and for doing all excavating and grading necessary for the same (after said streets, avenues, alleys and other highways, or parts thereof or connections therewith, have been first brought to grade, as hereinbefore provided), shall be levied as special assessment upon all lots and pieces of ground upon either side of such street, avenue, alley or other highway, or part thereof or connection therewith, abutting thereon, along the distance improved, in proportion to the front foot.

*Sixth*—The cost of paving or macadamizing the squares and areas as formed by the crossing or meeting of streets and other highways or parts thereof, or connections therewith, shall be levied as a special assessment and paid for as follows: Such area shall be divided into parts or portions by lines drawn lengthwise along the middle of each of said streets or highways so intersecting or meeting, and the cost of said parts or portions shall be levied as a special assessment against the block or square contiguous to each, and pro-rated against the lots or pieces of ground in such block or square abutting on the street improved.

*Seventh*—The assessments made for making and repairing sidewalks and sidewalk curbing, and for paving, macadamizing, curbing and guttering all streets, avenues, alleys and other highways, and repairing the same, as herein provided, shall be known as special assessments for improvements, and shall be levied and collected as a special tax, and a special tax bill shall issue therefor, and shall be paid in the manner provided by ordinance. Said special tax bills may bear interest after thirty days from the date of issue at the rate of eight per cent. per annum, and every such special tax-bill shall be a lien against the lot or piece of ground described in the same until the same is paid.

*Eighth*—Before the council shall make any contract for building bridges, sidewalks, culverts or sewers, or for paving,

macadamizing, curbing, guttering or grading any street, avenue, alley or other highway, an estimate of the cost thereof shall be made by the city engineer or other proper officer and submitted to the council, and no contract shall be entered into for any such work or improvement for a price exceeding such estimate: *Provided*, that no such estimate shall be required for the making of any local or special repairs.

*Ninth*—All special tax-bills issued for special assessments for paving, macadamizing, curbing, guttering, excavating, grading, construction of sidewalks, and for district sewers, and for any other purpose whatever authorized by this act, shall be assignable and collectible in any action brought in the name of the city, to the use of the holder thereof; but the city shall not in any event be liable for any cost that may accrue in such action. Such special tax-bills shall, in any action thereon, be *prima facie* evidence of the regularity of the proceedings for such special assessment, of the validity of the bill, of the doing of the work and of the furnishing of the materials charged for, and of the liability of the property to the charge stated in the bill.

*Tenth*—The total cost of paving, macadamizing, curbing, guttering and the necessary excavation and grading for the same, as is now provided by law, of any street, avenue, square or alley, or other highway, or any part thereof, may be paid in three annual payments—one-third in one year, one-third in two years and one-third in three years—from the date of issue of the special tax-bills, each payment to bear not to exceed eight per cent. interest per annum from date of issue to date of payment: *Provided*, that the owner of any lot or parcel of ground fronting on such street, avenue, alley, or other highway or square, or part thereof, improved, shall, within thirty days after the letting of the contract for such work, notify the city clerk in writing that he desires to pay for the same in three annual payments. In such cases, the city clerk, engineer or other proper officer shall make out three special tax-bills, which shall be signed by the mayor and attested by the city clerk, each for one-third part of the cost of such work, bearing interest as aforesaid, which



rate shall be fixed by ordinance, and deliver the same to the contractor for the work. Each and every such tax-bill shall be a lien on the lot or parcel of ground therein described, and such lien shall continue for one year from the maturity of the tax-bill last becoming due until paid, or until the final determination of any legal proceeding to collect the same; but no such suit shall be brought on any such tax-bill until after the maturity of all such tax-bills.

SEC. 109. The city council may, by ordinance, include in the special assessment the cost of bringing to the established grade any street, avenue, alley or other highway or square or area formed by the intersection or meeting of streets or other highways, or part thereof, proposed to be improved as herein provided, when in its judgment or opinion the general revenue fund of the city is not in a condition to warrant an expenditure therefrom for bringing the same to the established grade: *Provided*, that the resolution declaring such work necessary to be done, and published in some newspaper published in the city, shall, in addition to the other work of improvement therein provided for, include and describe the work of bringing such street, avenue, alley or other highway, or square, or part thereof, to the established grade. In all such cases where such work is authorized by virtue of such a resolution, and is contracted for in pursuance thereof, the bringing to grade as above described shall be included in the same contract with the other work provided for therein, and tax-bills shall be issued in payment for all said work as may be provided for by ordinance.

SEC. 110. When the council shall deem it necessary to pave, macadamize, gutter, curb (where such curbing is set out into the street beyond the sidewalk), or otherwise improve any street, avenue, alley or other highway or any part thereof, within the limits of the city, for which a special tax is to be levied, as herein provided, the council shall, by resolution, declare such work or improvements necessary to be done, and cause such resolution to be published in some newspaper published in the city, for two consecutive weeks; and if a majority of the resi-

dent owners of the property liable to taxation therefor shall not, within ten days thereafter, file with the clerk of the city their protest against such improvements, then the council shall have power to cause such improvements to be made, and to contract therefor, and to levy the tax as herein provided. No such publication shall be necessary for the making of any sidewalk, but upon the petition of any ten citizens of the city, the council shall have power by ordinance to make contracts for the constructing of sidewalks, including grading therefor, with or without curbing, along any street, avenue or other public highway, or any part thereof whatever; such contracts shall be let to the lowest and best bidder, upon plans and specifications filed therefor by the city engineer or other proper officer, with the city clerk—not less than one week's advertisement for bids thereon being made in some newspaper published in the city. When, upon proper advertisement, no bid is received the council may proceed as provided in section 113. No formality whatever shall be required to authorize the repairing of sidewalks, or of street or other paving, curbing, guttering, macadamizing or part thereof, or reconstructing the same, and making assessments therefor; but the proper officer or committee on improvements may, without notice, cause such work to be done, keeping an account of the cost thereof, and reporting the same to the council for assessment, and each lot or piece of ground abutting on such sidewalk, street, avenue or alley, or part thereof, shall be liable for its part of the cost of such work made along or in front of such lot or piece of ground, as reported to the council. The council may provide a penalty for failure to pay such special tax within a given time, and any tax-bills issued in payment of such repairs shall constitute a lien upon the property liable therefor until paid. All costs for building and constructing sidewalks shall be paid to the contractor therefor, in special tax-bills assessed against the abutting property liable therefor and such special tax-bills shall constitute a lien upon such property until paid, and shall bear interest at eight per cent. per annum from date of issue, except as provided in section 113.

SEC. 111. The council shall have power to create, open and improve any public square, street, avenue, alley or other highway, old or new, and also to vacate or discontinue the same whenever deemed necessary or expedient: *Provided*, that all damages sustained by the citizens of the city or the owners of the property therein shall be ascertained as prescribed in that portion of this act relating to the condemnation of private property for public use; *and provided, further*, that whenever any public square, street, avenue or alley or other highway shall be vacated, the same shall revert to the owners of the adjacent lots in proportion as it was taken from them; *and still further provided*, that when, in the opinion of the council of such city, it is necessary to reopen such street, square, avenue, alley or other highway, they may order the same opened without expense to the city; and when the grade of any street or alley shall have been once established by ordinance, it shall not be lawful to change such grade without making compensation to all persons owning real estate on such street or square, avenue, alley, or other highway, who may be damaged by such change of grade, to be determined and governed in all respects, with reference to benefits and damages, as is provided in this act.

SEC. 112. In addition to the powers hereinbefore granted, the city council may, by ordinance or resolution, condemn wooden and defective sidewalks, and may remove walks so condemned, and may provide for the construction of new sidewalks in the place of walks so condemned and removed.

SEC. 113. Whenever the city shall advertise for bids for the construction of any new sidewalk of any kind, or for the construction of new sidewalks in the place of sidewalks condemned, and shall receive no bids therefor, the city may proceed to construct or reconstruct any such sidewalks at its own expense, and shall keep an accurate account of the amount expended for labor and material, including grading and filling opposite each lot or piece of ground, and present the same to the city council for assessment, and each lot or piece of ground

abutting on the sidewalks constructed or reconstructed shall be liable for the cost thereof, as reported to the council by the officer or committee provided by ordinance or resolution to do or have done such work. There may be as many assessments included in one ordinance as there are lots or pieces of ground reported as having received resulting benefits from the construction or reconstruction of any such sidewalks, and the city clerk shall issue tax-bills payable to the city, against each lot or piece of ground for the amount for which it is liable. And all such tax-bills shall be assignable, a lien on the lot or piece of ground described therein until paid, and shall be collectible in any action brought in the name of the city to the use of the holder thereof, or in any action brought by the city in its own name and for its own use; but where any such tax-bill has been assigned, the city shall not in any event be liable for any cost that may accrue in such action, nor will the city be liable for the amount of any such tax-bill after the same is so assigned. Such special tax-bills shall, in any action thereon, be *prima facie* evidence of the regularity of the proceeding for such special assessments, of the validity of the bill, of the doing of the work and furnishing of the materials charged for, and of the liability of the property to the charge stated in the bills. The council may provide by ordinance for a rate of interest on every such tax-bill, not exceeding ten per cent. per annum, from thirty days after the date of issue of same until paid; but if not paid within six months after date of issue, then it may bear interest from date at the rate of fifteen per cent per annum until paid.

SEC. 114. Whenever the council shall, by ordinance, provide for establishing, opening, widening, extending or altering any street, avenue, alley, wharf, market place or public square, or route for sewer, either on its own motion or on the petition of the majority of the owners of the ground fronting thereon, and it becomes necessary for the purpose to take private property described in said ordinance, just compensation shall be paid therefor to the owner or owners of such property,

which the mayor shall be caused to be ascertained and assessed by a jury of six disinterested freeholders of the city, by proceedings prescribed by ordinance, and as in this article provided. The mayor shall have and exercise the power of a circuit court for conducting such proceeding, for the preservation of order and enforcing process issued in the course of proceedings, and may summon and compel the attendance of witnesses and jurors, and fine and commit any person guilty of misdemeanor or contempt, preside at the investigation and pass on the competency of evidence, and instruct the jury on questions of law arising thereon. The city clerk shall issue process, and attend and record orders made by the mayor.

SEC. 115. When any ordinance provides for taking private property, as authorized in the preceding section, the council shall by ordinance, before any steps are taken to empanel a jury, determine and prescribe the limits within which private property shall be deemed benefitted by the proposed improvement, and be assessed and charged to pay compensation therefor; and thereupon the city engineer shall make out and deliver to the mayor a statement, by plat, map or otherwise, containing a correct description of the several lots or parcels of property deemed benefitted and to be assessed to pay compensation, as provided by ordinance as aforesaid, and containing also the names of the owners or claimants of such lots or parcels of property, or of any interest or estate therein, who may be such at the time of the passage of the ordinance providing for the taking of such property. The mayor shall thereupon, by order, appoint a day or place for empaneling a jury to ascertain the compensation for the property to be taken, and to make assessments to pay the same. The city clerk shall then issue a notice, under his hand and seal of the city, which shall give the names of the owners of the property to be taken and state that their property will be taken for the purpose specified in the ordinance, giving the title and date of approval thereof, and that a jury will be empaneled to make such assessment on the day and at the place



fixed by the mayor. Each property owner shall be served with the notice in which the name of such owner is given, either by delivery to such owner of a copy of the notice, or leaving such copy for such owner at the usual place of abode of such owner, with some member of the family of such owner over the age of fifteen years—corporations to be served in like manner as with summons in ordinary civil actions—or if service cannot be made on all or any of the parties, as aforesaid, within the city limits, the return shall so state, and the return on such notice shall be *prima facie* evidence of facts stated therein; thereupon a copy of the notice not fully served, or if necessary, an alias notice, specifying a different day to be fixed by the mayor for empaneling a jury, shall be published for four weeks before the day fixed for empaneling the jury, in the newspaper for the time doing the city printing. The mayor may continue the matter of empaneling a jury from time to time, and cause new notices to be issued or published for owners named by the engineer or others interested, until jurisdiction of the proper parties is obtained. An affidavit of any publisher of any notice, accompanied with a copy of the notice, shall be evidence of the fact of publication as stated therein. Service of the notice shall be made at least six days before the jury shall be empaneled; publication shall be sufficient if made for four weeks next preceding the empaneling of the jury. It shall be sufficient to bring in the owners of property who may be such at the date of the passage of the ordinance providing for the improvement, and all parties claiming or holding through or under such owners or any of them, shall be bound by the proceedings without being brought in; in respect of any property affected by the proceedings through any or all of the parties claiming or holding through or under such owners, or any of them, may be joined on their own motion, or be brought in on order of the mayor.

SEC. 116. The jury shall first ascertain the actual damage done to each person or corporation in consequence of taking their property for such purposes, without reference to the pro-

posed improvement, as the just compensation to be made therefor; and second, to pay compensation, assess against the city the amount of benefit to the city and public generally, inclusive of benefits to any property of the city, and against the several lots and parcels of private property deemed benefited, as determined according to the last section, by the proposed improvement, the balance of such compensation—each lot or parcel of ground to be assessed with an account bearing the same ratio to such balance as the benefit to each lot or parcel of ground bears to the whole benefit to all the private property assessed. Parties interested may submit proof to the jury, and the latter shall examine, personally, the property to be taken and assessed. The verdict of the jury shall be signed by each juror and delivered to the mayor, and contain a correct description of each lot or parcel of property to be taken, the names of the owners or claimants, and the value thereof, and also the amount assessed against the city, together with a correct description of each lot or parcel of private property assessed, and the amount assessed against the same, and the names of the owners thereof. The city engineer and city attorney shall, when required by the mayor, aid the jury to put their verdict in proper form; and they shall not be discharged until the mayor is satisfied the verdict is correct in form. The mayor may adjourn the proceedings from time to time, until the matter is completed. If the jury cannot agree, the mayor may discharge them, and may proceed to empanel another jury to perform the duties devolving on a jury by this article, and no notice to parties interested shall be necessary beyond the order of the mayor, recorded by the clerk; but the order to empanel a new jury must be made and recorded on the day of discharging any jury, and fix the time and place for empaneling a new jury, or nothing further shall be done under the ordinance. No compensation shall be made to any property owner who petitions for proceedings under this article.

SEC. 117. When any one or more of the owners of property which it may be necessary to take for public use in the opening,

widening or extending any street, avenue, alley, wharf, park or route for sewer, by virtue of any ordinance of the city opening any such street, alley, avenue, wharf, park or route for sewer, shall propose to relinquish such property without claim or damages, on condition of exemption from payment of benefits for such improvements, or other conditions, the council may be authorized to compromise or agree with such persons, and to remit, abate and exempt from the payment of damages, on condition of benefits, wholly or partly, as equity may seem to require, and proceed to condemn such other property as may not be relinquished for the purpose, and to assess the damages and benefits therefor, to and upon such other persons and property as may be damaged or benefited by such improvements, anything contained in this article to the contrary notwithstanding.

SEC. 118. The mayor shall, after the rendition of the verdict, report the same, together with the proceedings under the last section, to the council; and if the same be not confirmed within sixty days from the making of such report, the proceedings and verdict shall be void, and new proceedings may be instituted at any time after the expiration of eight months from the making of such report. If the council, by ordinance, confirm(ed) the verdict and proceedings under the two preceding sections, within sixty days from the report of the mayor, an appropriation shall be made to pay such sum as has been assessed against the city; and the amounts assessed by the jury against the property shall be a lien on the several lots and parcels of property charged, from the day the ordinance providing for the improvement takes effect until paid and, if not paid within thirty days, [after] the confirmation, shall bear interest at the rate of fifteen per cent. per annum from the confirmation of the verdict, and shall be collected by the city as provided by ordinance, by suit or otherwise, as any other special tax, or by special execution as follows, viz: A special tax-bill may be issued by the city clerk, under his hand and seal of the city, against any lot or parcel of ground assessed, which bill shall contain a description of such lot or parcel of ground, the

names of the owners thereof, and the amount assessed against the same, as appears by the verdict, and state that the assessment has been made to pay compensation for private property taken for the purpose specified in the ordinance providing for the improvement, giving the title and date of approval thereof, and that such assessment has been confirmed by ordinance, giving the title and date of approval of same; and the amount of such assessment shall bear interest as herein provided. Each tax-bill so issued shall be filed in the office of the clerk of the circuit court of the county in which such city is located, and by such clerk recorded and indexed as a judgment in favor of the city against the property described in the bill. At any time after the filing and recording of any such tax-bill as aforesaid, a special execution may be issued thereon out of said circuit court in vacation or term time, as on a judgment of the court in favor of the city; which execution shall recite the tax-bill or the record thereof, and state when the bill was filed, and be directed to the sheriff of such county, and command him, in case the assessment, interest and costs be not paid to him, to sell the property therein described, or so much thereof as may be necessary to pay such assessments, interests and costs. The proceedings under such special execution shall, as far as practicable, conform to the proceedings on special executions on ordinary judgment foreclosing liens on lands. Any sale, including the making of a deed by the sheriff to the purchaser, made as aforesaid, shall vest in the purchaser all the right, title, interest and estate in the land of the parties named as owners in the tax-bill, who have not paid their share of the assessment, and all parties claiming through or under them or any of them by operation of law or otherwise, shall be bound thereby. Tax-bills filed and recorded as aforesaid shall be subject to the order of the circuit court, and may be set aside, or the amount of the assessment reduced, on motion of any party interested in the property assessed, the city having reasonable notice of the filing of such motion and the object thereof. If no title can be acquired under the proceedings to any of the property sought to

be taken, the court shall set aside any bill and assessment on motion. If by reason of any defect or omission in the proceeding the city cannot acquire title or right to any particular parcel of property, or to any interest in any parcel of property sought to be taken, the court shall, on the facts being made to appear, reduce the assessment by deducting therefrom so much thereof as was assessed on account of the property or interest in the property sought to be taken, but not acquired, to be determined, as far as practicable, from the verdict of the jury making the assessment, and award execution for the residue. No assessment shall be affected or interfered with for the reason that any other assessment or assessments made in the same proceedings may be invalid in whole or in part. Executions and proceedings thereon shall be under the control of the circuit court or judge thereof, as in ordinary civil cases. The owner of any individual interest in any lot or parcel of property assessed may pay his share separately. No sale on execution, or any special tax-bill, shall be affected or invalidated because there may have been ground to set aside or reduce the bill. In the case of the death of any property-owner, pending any proceedings under this article, it shall not be necessary to bring in his representative to revive judgment against him, though it may be done if advisable. The city may resort to all or any of the modes of collecting such assessments at the same time, but shall have only one satisfaction. Money collected on such assessments shall be used only to pay such compensation, and interest collected shall be apportioned and paid equitably to the owners of the property taken.

SEC. 119. In case the city or any defendant to such proceedings shall feel aggrieved by the verdict of the jury, such party so aggrieved may, within twenty days from the time the verdict of the jury is confirmed by the council, appeal to the circuit court in and for the county in which such city is located. If the appeal is taken by either party the same shall be taken and perfected by the filing with the clerk of the city, within the time aforesaid, such an affidavit as is required by law in ap-



pealing from the judgment of a justice of the peace. If an appeal is so taken, the clerk of said city shall, within fifteen days from the taking of such appeal, file a complete transcript of the proceedings, and all papers filed and used in the trial, certified by him, with the circuit court; and said circuit court shall thereupon become possessed of the cause, and said cause, unless dismissed, shall be tried *de novo* in said court, and the parties thereto shall have a speedy trial thereof, and to that end said cause shall have precedence over all other causes; and if necessary to a full determination of any question arising in said cause, the circuit court shall have power to make and bring in other parties to such proceedings, on service of notice upon them for six days, or by publishing a notice to them for the same length of time in any daily newspaper published in the city, and the parties so made by either kind of notice, and all persons claiming under them, shall be bound by such proceedings; and if such appeal is taken within fifteen days preceding any term of circuit court in said city, it shall stand for trial at such term; and if appealed during the sitting of such court, the case shall be immediately docketed upon the filing of the transcript, and stand for trial, and shall at the same term and shall always stand for trial, and shall not in any case be continued to any succeeding term, but, for good cause, may be postponed from week to week, in the discretion of the circuit judge; and the said circuit court shall always be open for the trials of appeals in such cases, and the judge of the said circuit court shall have power, and it shall be his duty, to hold a sitting of the court for the speedy trial thereof, at the court-house in said city, at any time in vacation, and summon a jury before him, unless a jury is waived, for the trial of such appeals—only such trials to be had in all respects and subject to the same rules and the same law, as other trials had in the circuit court, and the same record thereof made and kept. The verdict of the jury, or the finding of the circuit judge sitting as a jury, as the case may be, shall conform in all respects to the requirements for the government of the jury making the first assessment, and the

verdict shall have the same force and effect as is provided in regard to said first verdict, and shall be binding on the parties, and the assessment against private property shall be paid in the same time, and until paid, bear the same rate of interest as is above provided; and the amount assessed by the jury against property shall be a lien on the several parcels of property charged, from the day the ordinance for the improvement takes effect until paid; and if such assessments are not paid within ten days from the filing of the verdict of the jury, a special execution shall issue against the several lots or parcels of land against which assessments for benefits are so made, which execution shall specify and show a description of the lot, the owner thereof, and the amount assessed against the same, as shown by the verdict of the jury, and state that the assessment has been made to pay compensation for private property taken for the purpose specified in the ordinance providing for the improvement, and be directed to the sheriff of such county, and commanding him, in case said assessment, interest and costs be not paid to him, to sell the property therein described, or so much thereof as may be necessary to pay such assessment, interests and costs. The proceedings under said execution making a deed to the purchaser, shall conform to ordinary proceedings on special executions issuing out of said court in ordinary cases; and the said proceedings, sale and deed shall have the same effect and force as is stated in section 118. Said execution shall issue in favor of said city, and when paid, the money shall be held by said city as a special fund for the payment of damages assessed for property taken under said proceedings. On appeal under this section, the jury shall consist of six men, freeholders of the city, and any finding or verdict in that court shall, unless set aside for good cause, be confirmed, and judgment entered thereon, that the city have and hold the property sought to be taken for the purposes specified in the ordinance providing for the improvement, and pay therefor the amount assessed against the city, and full compensation assessed therefor, and that the several lots and parcels of private prop-

erty assessed to pay compensation by the verdict or finding stand charged and be bound, respectively, for the payment of assessments, with interest as provided in this article; and such judgment shall be enforced by special execution to collect assessments as aforesaid, without special tax bills; and the court or judge may, by execution or otherwise, put the city in possession of the property taken, or any part thereof, the full compensation therefor being paid or tendered. Appeals shall be taken to said circuit court of the district in which such city is located, and the court shall tax and charge costs in appeals according to equity.

SEC. 120. As soon as practicable after the confirmation of any verdict by the council, the city clerk shall file a full record, in a book provided for that purpose, of such proceedings, which record shall contain correct copies of all ordinances constituting a part of the proceedings, the notices to the parties to the proceedings, and returns thereon; all notices published and the proof thereof, all orders by the mayor, the names of the jurors and when empaneled, and the verdict of the jury, and such other documents and matters as the ordinances of the city may require. The mayor shall examine such final record of such proceedings, and, if it be correct, sign the same; and thereafter such record, or copy thereof, certified by the city clerk, under his hand and the seal of the city, shall be competent evidence in all courts of this State of facts stated therein. The original papers shall be carefully preserved by the city clerk. The city shall pay all costs of the proceeding to take private property, except costs of the proceedings to collect assessments, which shall be taxed and paid as costs in ordinary cases. If the city fail to collect any assessment, in whole or in part, it may pay the amount so not collected out of the city treasury. The compensation of officers for services rendered in pursuance of the foregoing sections shall be fixed by ordinance.

SEC. 121. Whenever it is deemed necessary by the council to change the name of any street or avenue, the council shall, by resolution, declare such proposed change of name necessary

to be made, and shall cause such resolution to be published at least one week in some newspaper published in the city; and if, within four weeks after such publication, a majority of the resident property owners along the line of such street or avenue do not file with the city clerk their written protest against such proposed change of name, then the council shall have power by ordinance to change the name of such street or avenue in accordance with the terms of such resolution; and upon the passage and approval of such ordinance, the city clerk shall file with the recorder of deeds of the proper county a certified copy of such ordinance, and such recorder shall enter the same upon the records of such county.

SEC. 122. For any purpose or purposes mentioned in the preceding sections, the council shall have power to enact and make all necessary ordinances, rules and regulations; and they shall also have power to enact and make all such ordinances and rules, not inconsistent with the laws of the State, as may be expedient for maintaining the peace and good government and welfare of the city and its trade and commerce; and all ordinances may be enforced by prescribing and inflicting upon its inhabitants, or other persons violating the same, such fine not exceeding one hundred dollars, and such imprisonment, not exceeding three months, or both such fine and imprisonment, as may be just for any offense, recoverable with costs of suit, together with judgment of imprisonment, until the fine and costs are paid or satisfied; and any person committed for the non-payment of fine and costs, or either, may be compelled to work out the same as hereinbefore provided: *Provided*, that such city shall have power, in any case wherein the penalty for an offense is fixed by any statute, to affix the same penalty by ordinance, and no other, for the punishment of such offense, except that imprisonments, when made under city ordinances, may be in the city prison or work-house instead of the county jail.

SEC. 123. Any person who shall violate any of the provisions of this act, for the violation of which no punishment has been provided, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished according to law.

SEC. 124. The repealing of article 4, of chapter 30, of the Revised Statutes of 1889, and all amendments thereto, by this act, and passage of this act in lieu thereof, shall in nowise affect the organization of cities operating under the laws so repealed, as cities of the third class, nor shall it require the [re]-organization of any such cities, but they shall continue as before in every respect, only observing the changes herein made, and the present recorders in such cities shall, during their official terms, discharge the duties of police judges, as in this act provided.

SEC. 125. The laws for the government of cities of the third class in this State being defective and inadequate, and the general municipal elections of such cities being near at hand, an emergency exists within the meaning of the constitution, requiring this act to take effect immediately; therefore, this act shall take effect and be in force and effect from and after its passage and approval.

Approved April 19, 1893.



## MISCELLANEOUS.

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### ADOPTION OF THIRD CLASS CHARTER.

AN ORDINANCE providing for the incorporation of the City of Sedalia under, by virtue of, and in accordance with the general charter, as provided by law for cities and towns in this State containing five thousand and less than twenty thousand inhabitants.

*Be it ordained by the Mayor and Board of Aldermen of the City of Sedalia, Missouri, as follows, to-wit:*

SECTION 1. That the City of Sedalia, Missouri, be, and the same is hereby incorporated under and by virtue of the general charter, as provided by law, for cities and towns of this State, containing five thousand and less than twenty thousand inhabitants.

SEC. 2. This ordinance shall take effect and said city shall become a city of the third class, and shall work under and be governed by, the charter provided for cities of the third class in this State from and after the 22nd day of March, A. D. 1886; *Provided*, this ordinance shall be ratified by a majority of the legal voters of said city, at an election, to be held in said city, on said 22nd day of March, 1886, at such place or places as the mayor of said city may designate; said election to be conducted by judges to be appointed by the mayor of said city. The manner of voting shall be by ballot which said ballot shall contain the following words, viz: "In favor of incorporating the City of Sedalia, Missouri, as a city of the third class Yes. No.'" And if a majority of those voting at said election vote Yes, then said ordinance shall be considered ratified.

SEC. 3. The expense of said election shall be borne by said City of Sedalia. Passed by the board of aldermen March 1st, 1886.

JNO. D. RUSSEL, President.

Approved March 2nd, 1886.

JOHN B. RICKMAN, Mayor.

An election was held under the provisions of the above ordinance and carried by the necessary and requisite vote, since which time the city has been working and operated under the general law for the government of third class cities.

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## EXTENSION OF CITY LIMITS.

AN ORDINANCE providing for the extension of city limits.

*Be it ordained by the Council of the City of Sedalia, as follows, to-wit:*

SECTION 1. That the limits of the City of Sedalia are hereby extended, so that the boundary line of the limits of the City shall hereafter be as follows: Commencing at the north-west corner of the south-east quarter of the north-west quarter of section thirty-five, in township forty-six, and range twenty-one in Pettis County and State of Missouri; thence west along the government line to the north-west corner of the southeast quarter of the northeast quarter, in section thirty-two, in said township forty-six, and range twenty-one in said county; thence south along the government line to the north-west corner of the south-east quarter of the south-east quarter in section eight, in township forty-five, and range twenty-one, in said county; thence east along the government line to the north-west corner of the south-east quarter of the south-west quarter of section eleven, in said township forty-five, and range twenty-one in said county; thence north along the government line to the south line of Broadway and city limits; thence east one hundred and ninety feet, more or less, to a rock marking the corner of front corporation limit; thence north along the

city limits to the northeast corner of Heard's first addition to East Sedalia; thence west to the southeast corner of the south-west quarter of the south-west quarter of section thirty-five, township forty-six and range twenty-one; thence north to the north-west corner of the south-west quarter of the north-west quarter, in section thirty-five in township forty-six and range twenty-one, to the place of beginning.

SEC. 2. There shall be held an election in the various wards throughout the city on Tuesday, 29th day of May, 1888, for the purpose of obtaining the consent of the legal voters of the city, to the extension of the limits of the city, provided by section 1, of this ordinance.

Said election shall be held at such places in the various wards as shall be designated by the mayor; and the mayor shall appoint the necessary judges and clerks and furnish ballots, poll books and ballot boxes, and shall, by proclamation, give notice of said election, which proclamation of the mayor, shall be published for fifteen days in the Sedalia Daily Democrat, a newspaper published in the city and doing the city printing, and such other newspapers published in the city as the mayor may select, and said election shall in all other respects be held under the provisions of the general election laws of the State, and the result of the election shall be spread by the city clerk upon the records of the city council, and the result shall be proclaimed by the mayor, within two days after the election, in the paper doing the city printing.

SEC. 3. All persons voting at the election held under the provisions of this ordinance who are against the extension of the city limits, as provided in this ordinance, shall have written or printed on their ballots "Against the Extension of the City Limits," and all who are in favor of the extension of the city limits as provided in this ordinance, shall have written or printed on their ballots, "For the Extension of the City Limits."

SEC. 4. This ordinance shall take effect and be in force from and after its passage.

JNO. D. CRAWFORD,  
Mayor and President of Council.

[Attest.]

A. H. THOMPSON, City Clerk.

Approved this 11th day of May, 1888.

JNO. D. CRAWFORD, Mayor.

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## FRANCHISES.

AN ORDINANCE to provide for a supply of water for the City of Sedalia, and the inhabitants thereof.

*Be it ordained by the Council of the City of Sedalia, as follows, to-wit:*

SECTION 1. That there is hereby given and granted to Quigley & Co., of St. Louis, their successors or assigns the exclusive right and privilege for the term of twenty-one years, from the date of the passage and approval of this ordinance, of supplying the City of Sedalia, in the State of Missouri, with water for the prevention and extinguishment of fires, and for all other purposes for which water may be used in accordance with the terms and conditions set forth in this ordinance.

SEC. 2. The said Quigley & Co., their successors or assigns, are hereby authorized to establish, construct, maintain and operate said works, in or adjacent to the City of Sedalia, to receive, take, store, purify, conduct and distribute said water through the city, to construct and extend aqueducts, mains and pipes through any or all the streets, alleys, lanes and public grounds, and cross any stream or bridge in said city; to erect and maintain all engines, machinery and other appliances necessary for the conducting and for supplying the said city and the inhabitants thereof with water for the purposes herein mentioned, and for such purposes the said Quigley & Co., their

successors or assigns, shall have the exclusive right to take up any pavements or sidewalks in, or adjacent to said city, and make such excavations as may be necessary to lay, repair and maintain aqueducts, mains and pipes below the surface of the ground for conveying and distributing the water as aforesaid, in and through the present and future limits of the City of Sedalia, subject to the approval of the street and alley committee: *Provided*, that the said Quigley & Co., their successors or assigns, shall suitably guard and protect such excavations, so as to prevent injury to persons and property by reason thereof; and shall hold the city harmless from all damages arising therefrom; *and provided further*, that such excavations shall be re-filled and such pavements and sidewalks be replaced in as good condition as before, and as soon as possible thereafter as the circumstances will permit. All rights and liabilities herein provided shall be in force during the term and continuance of this franchise.

SEC. 3. The fire hydrants to be put in under the provisions of this ordinance, shall be at such points on the present or improved lines of the mains as may be designated by the mayor and city council. All mains to be put in shall be of standard weight and strength water pipe, and covered by sufficient depth of earth to prevent freezing.

The pumping machinery, stand towers and reservoirs shall be as follows: The aggregate pumping capacity of machinery to be placed in said works shall be not less than four and one-half million (4,500,000) gallons in twenty-four hours. Said pumping machinery shall be of the most approved pattern. There shall not be less than four steel boilers placed in such water works, and so constructed that they may be operated either separately or together; and said boilers shall be of such size and capacity, that any two of which with easy firing shall be capable of running all of said machinery.

There shall be not less than two steel towers erected in different parts of the city, thereby equalizing the pressure on the mains, neither of which shall be less than one hundred and



twenty-five (125) feet high, and have a capacity of not less than one hundred and fifty thousand (150,000) gallons.

Stand towers to be erected on a masonry foundation, laid in cement, not to exceed three feet above the surface of the ground. Base of stand towers to be anchored to the masonry by not less than six brackets, that shall extend not less than six feet from sides of tower. The outer ends of the brackets to be secured to heavy cast iron bed plates under masonry, not less than twelve feet below base of tower.

The bases and tops of stand towers shall be tastefully ornamented. The present dam, or reservoir shall be not less than doubled.

There shall be constructed in addition to the above a settling reservoir, which shall have a capacity of not less than fifty million gallons of water.

There shall be erected in addition to the machinery hereinbefore mentioned, low service pumping machinery, of not less than five millions (5,000,000) gallons capacity in twenty-four hours, for the purpose of pumping water from the storage reservoir into the settling reservoir.

All water, after leaving settling reservoir, and before being pumped into mains, shall be filtered through the most approved appliances for that purpose. And there shall be a pressure on the mains at all times, barring accidents, of not less than fifty pounds to the square inch.

SEC. 4. The City of Sedalia hereby agrees to rent, and does rent, one hundred and twenty-five (125) fire hydrants, when erected and in use, from the said Quigley & Co., their successors or assigns, for the full term and continuance of this contract and ordinance, at the annual rental of seven thousand five hundred (\$7,500) dollars, payable semi-annually on the first days of February and August of each year. All hydrants to be put in under the provisions of this franchise shall be erected, maintained and kept in repair, by and at the cost and expense of said Quigley & Co., their successors or assigns.

SEC. 5. For all extensions of mains and hydrant con-

nections, ordered by the council of the city of Sedalia, the said Quigley & Co., their successors or assigns, shall erect at the rate of not less than ten fire hydrants to the mile, and for all such hydrants the said city of Sedalia agrees to pay the said Quigley & Co., their successors or assigns, an annual rental of forty-five dollars each, the same to be paid semi-annually on the first days of February and August of each year; but if the private consumption per annum on any extension shall average fifty (\$50) dollars per block, said Quigley & Co., their successors, or assigns, shall put in such extension, and the city in such cases shall not be required to put fire hydrants thereon.

SEC. 6. In addition to the furnishing water for the prevention and extinguishing of fires, as heretofore specified, the said Quigley & Co., their successors or assigns, shall furnish water to the city and the inhabitants thereof living or doing business along the mains or pipes for all purposes, and in accordance with such rules and regulations as may be deemed necessary to the successful operation of said works. Water shall be furnished the Missouri Pacific and other railroads at such rates as may be agreed upon by and between the railroad company, the city council and the water company. All city buildings shall be furnished with water free of charge. Water rates to private consumers or railroads shall not exceed the published rates of St. Louis or Kansas City, one of which shall be adopted within sixty (60) days after the adoption of this ordinance, and all rules and regulations governing consumers and plumbers shall be similar to those in other like places, and any valid contract for water now existing between the city of Sedalia and Missouri Pacific Railway Company, and Sedalia Brewing Company shall be carried out by said Quigley & Co., their successors or assigns. And the city council of the City of Sedalia shall enact all ordinances necessary for the protection of said works and property.

SEC. 7. The City of Sedalia shall have the right to acquire by purchase, and become the sole owner of said works, and all extensions thereof, and all the buildings, machinery and

acquirements of every description, appertaining to said water-works, at any time after the expiration of twenty (20) years from the adoption of this ordinance upon giving one year's notice to the owners of said works, upon paying therefor to the owners thereof the value of said property, which shall be ascertained by appraisement as follows:

The city shall select one appraiser, and the owner or owners of said works shall select another appraiser, and the two appraisers so selected shall select the third appraiser; or, if they can not agree upon a third appraiser, such third appraiser shall be selected by the judge of the United States district court of this district, and these three persons so determined upon shall appraise the property at its then cash value, which appraisement shall be binding upon both parties as to the value thereof; and the said City of Sedalia shall have the right to purchase and become the absolute owner of said property at such appraised value; *Provided*, if such property be encumbered or mortgaged at the time, then said purchase shall be made subject to said encumbrances or mortgages, and the amount of all such encumbrances and mortgages shall be deducted from such appraised value, and only the balance or difference be paid to the owners of such works and property; and in case the said City of Sedalia does not purchase and become the owner of such works and property at the end of twenty-one (21) years, for which this ordinance and rights are granted, then all the rights, privileges and agreements herein specified shall be renewed and extended to the said Quigley & Co., their successors or assigns, for another period of twenty-one (21) years, and renewed every twenty-one (21) years thereafter, subject to the rights of said city to purchase the works, as aforesaid; *and provided*, that such extensions shall not deprive the city of the right to purchase said property and franchise, as herein above provided, at any time after the expiration of twenty (20) years from the adoption of this ordinance.

SEC. 8. The City of Sedalia hereby agrees that it will proceed without delay, on the request of said Quigley & Co.,

their successors or assigns, to exercise its rights under the statutes of the State of Missouri, in the matter of the condemnation of any lot, parcel, or piece of ground, or of water privilege, that may be necessary to the proper and convenient construction, maintenance and operation of the system of water works contemplated in this ordinance:

*Provided*, that the said Quigley & Co., their successors or assigns, pay all costs and expenses incident thereto, including all cost of property so condemned, and damages on account of such condemnation, and,

*Provided, further*, that the right to the free and exclusive use of all the property so condemned shall rest and remain in the said Quigley & Co., their successors or assigns, so long as this ordinance and contract shall remain in force and effect.

SEC. 9. The said Quigley & Co., their successors or assigns shall begin work within thirty days from the passage and approval of this ordinance, and faithfully prosecute the same, to a completion before twelve months from such passage and approval.

SEC. 10. Said Quigley & Co., their successors or assigns, shall, on or before the fourteenth day of March, 1887, file with the city clerk their written acceptance of this franchise, and deposit with the city treasurer five thousand (\$5000) dollars as a guarantee that they will pay, on or before May first, to the treasurer of the City of Sedalia, ninety-five thousand (\$95,000) dollars more, which amounts the city shall receive in payment in full for the water works, together with mains, hydrants, pipes, machinery, lands, dams, water privileges, and everything pertaining thereto. free from all obligations, debts and demands whatever; and the said city shall turn over to the said Quigley & Co., their successors and assigns, as above, all of the said works on May first, 1887, and if said ninety-five thousand (\$95,000) dollars shall not be paid as above provided, the said Quigley & Co., their successors or assigns, shall forfeit the said sum of five thousand (\$5000) dollars and all rights thereto.

SEC. 11. In the event the said Quigley & Co., their successors or assigns, fail or refuse to comply with the terms and conditions of this franchise, it may work a forfeiture of the same, provided said failure is not caused by unavoidable circumstances or accidents.

But notwithstanding such forfeiture, the city shall thereafter have the right to take water for the use of the city fire department from all fire hydrants then in use without pay or compensation therefor, as well as for all city buildings, and the said Quigley & Co., their successors or assigns, shall be bound to furnish the water as before the forfeiture.

SEC. 12. The said Quigley & Co., their successors or assigns, shall take possession of the present water works and water system now owned by the said city, on or about May first, 1887, and collect thereafter all water rates and all licenses in said city, and said city shall pay to said Quigley & Co., their successors or assigns the proportion of all water licenses collected by said city for use of water after that date, and said Quigley & Co., their successors or assigns, shall comply with the obligations of said city, and furnish water to consumers for the time for which license may have been collected, barring all unavoidable accidents.

SEC. 13. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 14. This ordinance shall take effect and be in force from and after its passage.

Passed by the Council March 8th, 1887.

E. W. STEVENS, President.

Approved March 9th, 1887.

E. W. STEVENS, Mayor.

[SEAL]      [Attest.]

A. H. THOMPSON, City Clerk.



## ELECTRIC RAILWAYS

AN ORDINANCE granting the right of way to, and authorizing the Electric Railway, Light and Power company, of Sedalia, Missouri, to construct, maintain and operate a street electric railway, upon certain streets, public squares, avenues and alleys in the City of Sedalia.

*Be it ordained by the Council of the City of Sedalia, Missouri, as follows, to-wit :*

SECTION 1. That the right, consent and authority of the City of Sedalia is hereby granted and confirmed to the Electric Railway, Light and Power company of Sedalia, Missouri, an incorporated company, organized under the laws of the State, to construct, maintain and operate a street electric railway in said City of Sedalia, Missouri, its successors and assigns, to construct, operate and maintain a street railway with all necessary tracks, switches and appliances, over and upon all the streets, public avenues and alleys of the City of Sedalia, hereinafter named and designated: *Provided*, that such railroad shall not be located by said company on any street and alley hereinafter named, or any part of the same, until a majority of the resident owners of land abutting upon such street or alley or portion thereof, shall first assent thereto in writing.

SCE. 2. The cars on said railway shall be propelled by electric power or energy only.

SEC. 3. The following route, for the construction, maintenance and operation of said electric street railway, is hereby established, to-wit :

Beginning on Ohio street, at the southern line of the right of way of the Missouri Pacific railway, and running thence southwardly on Ohio street to the south line of the city limits; also running from the middle line of Ohio street, westwardly on Main street to the city limits, and also from the middle line of Ohio street eastwardly on Main street to Washington avenue; also from the middle line of Ohio street, running west on Fifth street to the city limits; and from the middle line of Ohio street

east on Fifth street to the city limits; also from the middle line of Fifth street, running northwardly on Kentucky street to Main street, thence west on Main street to the middle line of Moniteau street, and from thence northwardly on Moniteau street to the city limits; also running from said middle line of Fifth street southwardly on Kentucky street to the city limits; also from the middle line of Ohio street west on Seventh street to the city limits; also from said middle line of Ohio street east on Seventh street to Lafayette avenue; also from the middle line of Ohio street, running east on Thirteenth street to the city limits; also running from the middle line of said Thirteenth street, northwardly on Lafayette avenue to the right of way of the M., K. & T. railway; also running from the middle line of said Thirteenth street northwardly on Ingram avenue to Broadway; also from the middle line of Ingram avenue east on Tenth street to Hancock street, thence northwardly on Hancock street to Fifth street; also running from the middle line of Hancock street west on Broadway to the right of way of the M., K. & T. railway; and from said middle line of Hancock street east on Broadway to the city limits; also running from the middle line of Fifth street northwardly on Engineer street to the north line of the city limits; and from the middle line of Fifth street southwardly on Engineer street to the city limits; also from the middle line of Fifth street, south on New York avenue to the city limits, and from the middle line of Fifth street north on New York avenue to the city limits; also running from the middle line of Ohio street westwardly on Sixteenth street to the city limits; also from the middle line of Ohio street eastwardly on Sixteenth street to the city limits; also running from the middle line of Sixteenth street south on Vermont street to Eighteenth street; thence west on Eighteenth street to Grand avenue; also running from the middle line of Ohio street west on Twentieth street to the west end thereof; also running from the middle line of Ohio street east on Twentieth street to the east end thereof; also running from the middle line of Twentieth street north on Missouri avenue to the north line of the city limits;

also from the middle line of Missouri avenue running eastwardly on Pettis street to Lamine street; also running from the middle line of Main street southwardly on Osage street to Broadway; also from said middle line of Main street northwardly on Osage street to the south line of the right of way of the Missouri Pacific railway; also running from the middle line of Main street southwardly on Lamine street to Fifth street; also running from the middle line of Main street southwardly on Washington avenue to Seventh street; also running from the north line of the city limits southwardly on Grand avenue to the south line of the city limits; also running from the middle line of Ohio street eastwardly on Third street to the city limits; also from the middle line of Ohio street westwardly on Third street to the city limits; also running from the middle line of Grand avenue east on Tenth street to Ingram avenue; also running from the middle line of Grand avenue east on Thirteenth street to the middle line of Ohio street; also running from the middle line of Ohio street westwardly on Fifteenth street to Grand avenue.

SEC. 4. The depots, stations and turnouts and switches of said railroad so far as the same can now be determined are hereby located as follows, to-wit: The power station and depot is hereby located on the south side of Broadway street and immediately east of the Missouri, Kansas and Texas Railway right of way. This being a street railway, there are no passenger depots or stations. The switches and turnouts are hereby located as follows: On Ohio street, one between the Missouri Pacific railway track and Main street; one between Fourth and Fifth streets; one between Tenth and Eleventh streets, and one between Nineteenth and Twentieth streets; one on Thirteenth street east of Lafayette; one on Hancock north of Broadway; one on Engineer street between Engineer and Wagner; on Grand avenue between Fourth and Fifth streets, Tenth and Eleventh and between Nineteenth and Twentieth streets; on Lamine between Fourth and Fifth streets; on Kentucky between Fourth and Fifth, Tenth and Eleventh, Nineteenth and Twentieth streets; on Fifth between Washington avenue and Lafay-

ette avenue, and between Harrison and Missouri avenues; on Seventh street between Washington avenue and Lafayette, and between Harrison and Missouri avenues and Moniteau and Vermont streets.

SEC. 5. The said Electric Railway, Light and Power company, its successors and assigns, are hereby granted the right to construct, establish, operate and maintain in said city an electric system of power for lighting and street railway purposes, with the right of way along, over and under the streets, avenues, alleys and public grounds and areas of said city, for the purpose of erecting, establishing, operating and maintaining all wires, posts, poles, brackets, guys, supports, fixtures and conduits necessary or pertaining to said business and to the conveyance of electric energy, subject to all reasonable rules and regulations that the city council may deem necessary from time to time to make.

SEC. 6. The rights, privileges and franchises hereby granted to said Electric Railway, Light and Power company, shall be held by them for the term of fifty years from the date of the passage of this ordinance.

SEC. 7. The tracks of said railway shall be laid on an even grade with the existing grades of all squares, streets and highways through, over and across which said railway may be constructed, so as to admit of the safe and easy passage of vehicles, and not in any manner to unnecessarily hinder or obstruct the use of the streets.

SEC. 8. It shall be the duty of the city engineer to give to the said company said grade and superintend and see that the tracks when laid conform to said grade as aforesaid, and when so laid the company shall not be required to alter or change the same unless said grade be changed by ordinance, duly passed by the city council, and shall in no case be required to alter or change the grade of any part of any street at their expense, except the parts actually occupied by its tracks, and one foot outside of each rail, and the city shall in no way be liable to said company or its successors or assigns for any dam-

ages on account of any change of grade or pavements, in any streets or alleys.

SEC. 9. Said company shall at all times keep in good repair and condition all portions of said streets and squares occupied by its tracks, turnouts and switches, and for the space of one foot outside of each rail thereof for the convenience and safety of public travel.

SEC. 10. When the said company lays its tracks on any street or square at the time paved, it shall at its own expense relay the paving on that part of such street occupied by its tracks, and one foot on the outside of each rail thereof so as to conform to the grade, making all needed repairs with like material used in said paving.

SEC. 11. Said railway shall be kept in good repair and order by said company, and shall be operated at all reasonable time for the use of the public, at least one car being run on the road every fifteen minutes between the hours of 6 o'clock a. m. and 11 o'clock p. m. of each day. Each passenger may be required to pay fare during said hours not exceeding five cents, and between 11 o'clock at night and 6 o'clock in the morning a fare not exceeding ten cents for a continuous passage over any entire line or any part thereof; *Provided*, that children under 5 years of age, accompanied by a parent or guardian shall ride free. The term "entire line" as used in this section shall include all branches from the main line over which cars from the main line are run, and said company shall give one transfer ticket, when necessary to enable a passenger to complete his journey over any one of such branches from the main line only, or from such branch to the main line; *Provided*, that said limit of fifteen minutes in running its cars shall not apply to streets in any portion or portions of the city where the convenience of the public may not require them to run oftener than every thirty minutes.

SEC. 12. The said company shall hold the said city harmless for all costs and damages, including reasonable attorney's fees, by reason of the construction and operation of said railway, and nothing contained in this ordinance shall have the



effect to release said company from its liability for any and all damages sustained, by reason of said occupation of said public streets and areas, or by reason of any negligence of any of its employes, or from any reason that would render them amenable to the law.

SEC. 13. The cars of said company shall at all times be entitled to the track, and the driver of every vehicle shall turn out when any car comes up, but all carriages and vehicles shall have full right of way over and along said tracks, but so as to not unnecessarily interfere with the free and unobstructed running of the cars thereon.

SEC. 14. Nothing in this ordinance shall be held or construed to interfere with the right of way of the city at any and all times to lay water-pipes, and construct sewers and drains in and along any of said streets, and make any other necessary improvements therein, or to, or in any manner, abridge or impair any of the rights or franchises heretofore granted to any person or corporation for any purpose whatever, or to grant franchises to other persons or companies for the construction of street railways.

SEC. 15. The consent, authority and right of way granted by this ordinance to said company to construct and operate said street railway, is upon the express condition that the said company shall, before locating a railway on any street, procure the assent in writing of a majority of the property owners of such street, and before said company shall construct any such railway, they shall pay all damages that may be assessed in favor of any property holder on such street, as provided by law.

SEC. 16. Within thirty days after the passage and approval of this ordinance the said Electric Railway, Light and Power company, shall file with the city clerk of said city its acceptance in writing of all the provisions of this ordinance, and shall execute to the City of Sedalia a bond in the sum of five thousand dollars, to be approved by the mayor, guaranteeing the building of at least two miles of railway within four

months, and at least two miles more within nine months from the taking effect of this ordinance, unless they are prevented by any injunction proceedings, strikes, failure to procure assent of property owners as required by law, or unavoidable causes; said acceptance, when so filed, shall be recorded in the book of ordinances, and safely kept by the city clerk.

SEC. 17. On all streets said railway shall be so constructed and maintained as to enable carriages, wagons and other vehicles to cross the same without unnecessary danger or inconvenience at all places along the line thereof, and especially at the crossings of the streets. All poles shall be of the best quality, uniformly painted and planted along the curbs, and under the direction of and to the satisfaction of the city engineer, and the wires shall be at the standard height from the ground.

SEC. 18. If at any time the City of Sedalia shall improve any of the unpaved streets upon which said company may have laid its tracks, by paving the same, or by repaving a street already paved, said company shall at the same time grade, pave and improve its tracks, and one foot on the outside of each rail thereof, at its own expense and in the same manner and with like material as said city paves or improves said street, and if said company refuses or neglects to improve such right of way, the city reserves the right to remove from such street all the tracks of said company and improve and pave such street and right of way, as though no car tracks had been laid on such streets, and said city shall not be liable to said company for any loss or damage on account of the removal of such tracks.

SEC. 19. In case the said Electric Railway, Light and Power company, its successors or assigns, fail or refuse to comply with the terms and conditions of this franchise, it may work a forfeiture of the same; *provided*, such failure is not caused by unavoidable circumstances or accidents.

SEC. 20. This ordinance shall take effect and be in force from and after its passage.

Passed by the council of the City of Sedalia, Missouri, this 17th day of March, 1890.

JNO. D. CRAWFORD,

Attest:

President of the Council.

A. R. EATON, JR., City Clerk.

Approved March 18th, 1890,

JOHN D. CRAWFORD, Mayor.

We, the undersigned, W. E. Sterne, president, and D. C. Metsker, secretary, of the Electric Railway, Light and Power company, of Sedalia, Missouri, do, as authorized by the resolutions of said company, duly adopted at a meeting of the board of directors, at the office of said company, on the 28th day of March, A. D., 1890, agree to, and accept all of the provisions of an ordinance passed by the council of the City of Sedalia, State of Missouri, on the 17th day of March, A. D., 1890, and entitled "An ordinance granting the right of way to and authorizing the Electric Railway, Light and Power company, of Sedalia Missouri, to construct, maintain and operate a street electric railway upon certain streets, public squares, avenues and alleys in the City of Sedalia," and also file the bond required by said ordinance.

Done by virtue of a resolution of the board of directors of said company, accepting all of the provisions of said ordinance, and authorizing and directing the filing of said bond this 28th day of March, A. D., 1890.

THE ELECTRIC RAILWAY, LIGHT AND POWER COMPANY, OF  
SEDALIA, MISSOURI.

W. E. STERNE, President.

[SEAL.]     Attest,

D. C. METSKER, Secretary.

Filed March 29th, 1890.

A. R. EASTON, JR., City Clerk.

# RULES OF THE COUNCIL

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## OF THE CITY OF SEDALIA.

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THE FOLLOWING RULES AND ORDER OF BUSINESS SHALL GOVERN THE COUNCIL IN ITS DELIBERATIONS.

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### ARTICLE I.

#### OF THE COUNCIL.

SECTION 1. It shall be the duty of each member of the council to be present at each meeting of the council unless leave of absence be granted, or he be sick and unable to attend.

SEC. 2. A majority of all the members elected shall constitute a quorum to do business.

SEC. 3. Upon a call of the council, the names of the members shall be called over alphabetically, the absentees noted, and those who do not appear may be sent for by a special messenger, and may be by him taken into custody wherever found, and compelled to attend the session of the council.

SEC. 4. Whenever a member shall be discharged from custody the council shall determine whether such discharge shall be with or without censure, and defraying the expenses of messenger sent after him.

SEC. 5. At the first regular meeting of the council after the election in each year, the council shall elect one of its mem-

bers president pro tem., who shall hold his office for the term of one year, and who, in the absence of the mayor shall preside at the meetings of the council; *Provided*, that in the absence of both mayor and president pro tem., the council may select one of its members present to preside at such meeting, who shall be styled "acting president pro tem.;" and the president pro tem., during the absence of the mayor from the city, or his temporary inability from any cause, to discharge his official duties, shall be the acting mayor with all the power and authority possessed by the mayor.

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## ARTICLE II.

### OF THE PRESIDENT.

SEC. 6. The president shall take the chair precisely at the hour to which the board shall have adjourned their preceding meeting, and immediately call the members to order, if a quorum be present.

SEC. 7. He shall preserve decorum and order; he may speak to points of order in preference to members of the council, and shall decide questions of order, subject to an appeal to the council by any member, on which appeal no member shall be permitted to speak more than once. He shall appoint all select committees unless otherwise provided.

SEC. 8. At the first regular meeting of the council after the election in each year, or as soon thereafter as possible, he shall appoint the following standing committees, which shall consist of three members each:

Committee on finance.

Committee on claims.

Committee on streets and alleys.

Committee on supplies.

Committee on cemetery.

Committee on printing.



Committee on taxes.  
 Committee on public buildings and grounds.  
 Committee on ordinances.  
 Committee on sewerage.  
 Committee on gas and electric lights.  
 Committee on sanitary.  
 Committee on water.  
 Committee on fire department.  
 Committee on police department.

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### ARTICLE III.

#### OF COMMITTEES.

SEC. 9. It shall be the duty of the committee on finance to take into consideration all such reports and propositions relating to the city treasury as may be referred to them by the council; to enquire into the state of the city debt, its finances, revenues and expenditures, and to report monthly at least, and oftener if deemed necessary, their opinion and suggestions thereon; to examine into the financial department of the city, particularly into the ordinances making appropriations for money, and report whether the moneys have been disbursed conformably to such ordinance; and to report such provisions and arrangements as may be necessary touching the city indebtedness, the finances, revenues and expenditures, and the appropriations of money, and as will add to the economy of the financial department of the city, and secure the accountability and faithfulness of the different officers connected therewith.

SEC. 10. It shall be the duty of the committee on streets and alleys to take into consideration all matters referred to them by the council, touching the streets, avenues and alleys of the city, to examine the same, and to report to the council monthly at least, and oftener if deemed necessary, their actual condition, and whatever changes, repairs, alterations or improvements they may deem proper to recommend.

SEC. 11. It shall be the duty of the committee on cemetery to take into consideration all matters concerning the cemetery which may be referred to them by the council; to recommend to the council all necessary improvements and repairs; to suggest whatever ornamentation may be proper, in their judgment, and to report to the council monthly at least, or oftener if necessary.

SEC. 12. It shall be the duty of the committee on public buildings and grounds to take into consideration all matters which may be referred to them by the council in reference to the buildings and grounds of the city; to recommend to the council all changes, repairs, improvements and new buildings which they may deem the interests of the city require, and to report monthly, or oftener if necessary.

SEC. 13. It shall be the duty of the committee on gas and electric lights to take into consideration all such matters, reports and propositions relating to the light supply as may be referred to them by the council, and to exercise a general supervision over the gas and electric light supply of the city, and to make report to the council as often as they deem necessary touching those matters and departments.

SEC. 14. It shall be the duty of the committee on water to take into consideration all such matters, reports and propositions relating to the water company or water supply as may be referred to them by the council; and to exercise a general supervision over the water supply of the city, and to make report to the council from time to time touching that department.

SEC. 15. It shall be the duty of the committee on fire department to take into consideration all such matters, reports and propositions relating to the fire department as may be referred to them by the council; and to exercise a general supervision over the fire department and make report to the council as often as they deem necessary touching that department.

SEC. 16. It shall be the duty of the committee on sewerage to take into consideration all matters referred to them by the council concerning sewerage; to make report to the council

as often as they deem necessary on any matter touching sewerage or its construction; and in general to exercise control and supervision over all matters which may arise from the subject of their duties.

SEC. 17. The committees on police department, printing, ordinance and sanitary shall exercise control and supervision over all matters which may arise from the subject of their respective duties, and make such reports and recommendations to the council as they deem necessary.

SEC. 18. It shall be the duty of each standing committee to report to the council concerning any matter referred to them for consideration, at the next regular meeting after the same is referred, unless otherwise ordered.

SEC. 19. Whenever a resolution or other matter is presented to the council by any member, he may, at his option, before any amendment is made or question taken on it, request that it may lie over until the next meeting, in which case it shall have precedence of the regular order of the day, and shall be considered as the unfinished business.

SEC. 20. It shall be the duty of the clerk of the council to cause committees, members of the council and its officers, to be informed of such duties as they may be charged with by the council from time to time.

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## ARTICLE IV.

### OF THE ORDER OF BUSINESS OF THE COUNCIL.

SECTION 21. On the appearance of a quorum, the minutes of the proceedings of the preceding meeting shall be read, corrected and approved.

SEC. 22. At each meeting of the council for regular business, after the minutes are read, business shall be disposed of in the following order:

1—Unfinished business.

2—Calling the roll for petitions and communications.

3—Report of special committees.

4—Report of standing committees.

5—Report of officers.

6—New business.

*Provided*, That when "new business" is reached in the regular order or business, that the clerk shall call the roll, and that each member as his name is called report to the council all papers he may have requiring action.

SEC. 23. The president shall at each meeting announce to the council the business in order, agreeably to the preceding rule.

SEC. 24. No business shall be taken up or considered until the class to which it belongs shall be declared in order, unless by consent of two-thirds vote of council present.

SEC. 25. Communications from the mayor may be read, and received at any time.

SEC. 26. No bill except a regular monthly appropriation or disbursing bill shall receive more than one reading at any meeting of the council, unless two-thirds of all the members elected otherwise expressly allow. Regular monthly appropriation or disbursing bills may be considered and passed at the first regular meeting in each month; *Provided*, the same be read three times before a final vote thereon as provided by law.

SEC. 27. The second reading of a bill shall be by sections, at which time amendments are to be offered; but the reading of any section shall not preclude the offering of an amendment to any preceding one. If no amendments are made, the chair will so report and the bill be read a third time, and after the third reading the question shall be, "Shall the bill pass?" If amendments are made, the chair shall so report and the bill shall be read as amended before the third reading. Nevertheless it shall be subject to amendment till put to its final passage. The final vote shall be taken by yeas and nays and the bill before it passes shall receive the votes of a majority of all the members of the city council; and whenever

an ordinance has been read a third time, if a substitute is voted for said ordinance, said substitute shall be subject to the same order as a bill on its second reading.

SEC. 28. Before any resolution shall become a law it shall be adopted and passed by a majority vote of the members elected to the council, on a call of the yeas and nays, be approved by the mayor and published one time in the paper doing the city printing: *Provided*, that it may be passed over the mayor's veto in same manner provided for such passage of an ordinance.

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## ARTICLE V.

### OF PROCEEDINGS, DECORUM AND DEBATE.

SECTION 29. When any member is about to speak in debate, and deliver any matter to the council, he shall arise from his seat and address himself to "Mr. President;" he shall confine himself to the question under debate, and avoid personal-ity; nor shall he speak more than twice on any question without the unanimous consent of the council; and no member shall speak more than once until every member wishing to speak shall have spoken.

SEC. 30. When two or more members shall rise at once, the president shall name the member who is to speak first, the other rising having the preference next. No member shall proceed until he has been recognized by the president.

SEC. 31. No motion or resolution shall be stated or debated until it is seconded, and when stated by the president or read by the clerk, it shall be deemed in possession of the council, but may be withdrawn at any time before decision or amendment.

SEC. 32. Every motion shall be reduced to writing, if the president or any member desire it.

SEC. 33. No new motion or proposition shall be ad-



mitted, under the color of amendment, as a substitute for the motion, or proposition under debate.

SEC. 34. When a question is under debate, no motion or proposition shall be received, but, 1st, to adjourn; 2d, to amend; 3d, to refer to standing committee; 4th, to refer to select committee; 5th, to refer to an officer of the city; 6th, to lay on the table; 7th, for the previous question; 8th, to postpone to a day within the existence of the council.

SEC. 35. A motion to adjourn shall always be in order, unless a member is speaking, and shall be decided without debate; and no member shall leave his seat until the result is declared by the president.

SEC. 36. The previous question shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by two-thirds of the members present, and until it is decided shall preclude all amendments and further debate, and shall be decided without debate.

SEC. 37. Any member may call for a division of the question, where the sense will admit of it.

SEC. 38. No amendment shall be permitted to a motion to strike out, unless it be to leave out of the motion a part of the words proposed to be stricken out.

SEC. 39. A motion for an amendment, until decided, shall preclude all further amendment of the main question.

SEC. 40. Motions and reports may be committed at the pleasure of the council.

SEC. 41. When the reading of a paper is called for, and the same is objected to by any member, it shall be determined by a vote of the council.

SEC. 42. If any member, in speaking or otherwise, shall transgress the rules of the council, the president or any member may call him to order; in which case the member called to order shall immediately sit down, unless permitted to explain, and the council shall, if appealed to, decide on the case, but without debate. If there be no appeal, the decision of the president will be submitted to. If the decision be in favor of

the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the council.

SEC. 43. All questions shall be propounded in the order in which they were moved, except privileged questions.

SEC. 44. When a question is put by the chair, each member present shall vote, unless the council shall for special reasons excuse him; but if personally interested he shall not vote. In doubtful cases the chair may direct, or any member call for, a division. The yeas and nays shall be called upon the request of the chair or any member.

SEC. 45. When a question has been taken, it shall be in order for any member to move a reconsideration thereof at the same or next succeeding meeting; but no question shall be a second time reconsidered without the consent of three-fourths of all the members of the council elected.

SEC. 46. The yeas and nays shall be entered on the minutes at the desire of any member, if requested before the question is put.

SEC. 47. On taking the yeas and nays of any question, the names of the members shall be called alphabetically and each member shall answer from his seat, and the absentees be noted.

SEC. 48. On forming a committee of the whole council, the mayor shall leave the chair and call some member to preside.

SEC. 49. All questions, whether in the committee or in the council, shall be put in the order they are made, except that in case of privileged questions, and in filling blanks, the longest time and the largest sum shall be voted on first.

SEC. 50. The rules of the council shall be observed in committee of the whole, so far as they are applicable, except the rule limiting the time of speaking; and the previous question shall not be put in committee of the whole.

SEC. 51. A motion that the committee rise shall always be in order, and shall be decided without debate.

SEC. 52. The clerk shall not enter upon the journal the proceedings of the committee of the whole, except as the same may be reported to the council.

SEC. 53. All reports of committees and all resolutions shall be presented in writing and signed by the members offering the same.

SEC. 54. A majority of a committee may constitute a quorum for the transaction of business.

SEC. 55. An amendment to an amendment is in order; but not to amend an amendment to an amendment of a main question.

SEC. 56. The mayor can temporarily excuse any member of the council but no member shall be permitted to leave the meeting of the council without the permission of a majority of the members present.

SEC. 57. Smoking and all conversation between members is prohibited during deliberations of the council; and no smoking shall be allowed in the council room during the session of the council.

SEC. 58. In all proceedings of whatever nature herein provided for and regulated by law, "Cushing's Manual" shall be the guide and rule.

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## ARTICLE IV.

### ON AMENDING RULES.

SEC. 59. These rules, or any of them, may be temporarily suspended by a vote of two-thirds of all the members elected to the council, but shall not be repealed, altered or amended except by ordinance.

REVISED ORDINANCES.





AN ORDINANCE  
IN  
REVISION OF THE ORDINANCES  
OF THE  
CITY OF SEDALIA, MISSOURI.  
AND TO

ORDAIN AND ESTABLISH NEW AND AMENDED ORDINANCE  
PROVISIONS FOR THE GOVERNMENT OF SAID CITY.

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*BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI,  
AS FOLLOWS, TO-WIT:*

CHAPTER 1.

BOOKS OF ACCOUNT.

SECTION.

1. Accounts to be kept, how ;  
books of, where deposited.
2. Appropriation ordinances, how  
entered on books.
3. Money received by officer, where  
and when to be deposited.

SECTION.

4. Statements of money received  
by city clerk, to be distri-  
buted to what accounts, and  
how.
5. City treasurer to keep what ac-  
counts.

SECTION. 1. The books and accounts of the City of Sedalia, in the hands of the city clerk, shall be kept in a regular double entry order, comprised in such books as a journal and ledger, and such auxiliary books as may be necessary ; and the tax, license and stub receipt books, in the hands of the city collector, shall be kept in manner and form as shall be requisite to the purpose for which they are used, and when not in use shall be deposited in the vault.

SEC. 2. All appropriations embraced in ordinances passed in anticipation of revenue, shall be entered in the journal as memorandum, debits and credits, and carried to the ledger to the respective accounts to which they belong, except the sinking fund account, and shall be entered on the margin of the debit or credit column in red ink, and be considered as reference charges only, so that the regular charges of actual receipts to respective accounts may not exceed the appropriations.

SEC. 3. Any officer of the city receiving money for the city, shall deposit the same in the city treasury on or before the first Monday of each succeeding month, and take a receipt therefor, but any such officer shall, prior to making such deposit, make duplicate statements of all money so received by him, and hand the same to the city clerk.

SEC. 4. The city clerk, upon receipt of such statements, shall distribute to interest account the proportion received for that fund, being the levy for interest purposes upon real or personal property of all kinds, and to general expense account its proportion of levy on all real and personal property, together with receipts from all other sources, except market house and scale receipts, which shall be credited to market house account; and he shall endorse this distribution on the back of said statements, one of which he shall certify to the city treasurer, and the other shall be filed for reference.

SEC. 5. The city treasurer shall keep such accounts as are necessary, and enter therein the distribution of all moneys received by him as such city treasurer, so that each fund account may receive its proper debit and credit, as provided for by ordinance.

## CHAPTER 2.

## ADDITIONS.

## SECTION

6. New additions, when adjoining lands already platted, to be laid out, how.
7. When not adjoining platted lands, how.
8. Plat of new addition to be submitted to City Council before filing for record, when.

## SECTION

9. Party failing to submit such plat to Council not entitled to compensation or damages for opening streets in said addition.
10. Street and alley committee to examine plat and report to Council.

SECTION 6. For the purpose of securing uniformity in the width and direction of the streets of the City of Sedalia, any addition hereafter made, and adjoining ground already laid out in lots and blocks, shall be so laid out that the streets of said addition shall be of the same width, and a continuation of some street of said city, or of some addition thereto.

SEC. 7. Whenever an addition shall be laid out disjoined from land already laid out in lots and blocks, the streets shall be so located that, when extended, they will run into other streets already located, be of same width, and run at the same angle to the meridian as said other streets.

SEC. 8. Any owner or other party having the control or management of any tract of land, who shall lay out the same into lots or blocks, as, and for an addition to the City of Sedalia, shall before filing the plat of the same for record in the office of recorder of deeds for Pettis county, submit such plat to the city council for approval.

SEC. 9. If any party shall file in the office of the recorder of deeds of Pettis county any plat of any proposed addition to the City of Sedalia, without first submitting the same to the city council for approval, or, having submitted such plat and its be-

ing disapproved by the council, such party, his heirs or assigns, shall not be entitled to receive any compensation or damages on account of the opening and establishing of any street, lane or alley, in or through such addition.

SEC. 10. It shall be the duty of the committee on streets and alleys of the city council, to examine any such plat, and report to the city council at its second sitting, at the farthest, after the plat has been submitted, as provided for in this chapter, whether or not this chapter has been complied with, and whether or not the circumstances of the case are such as to justify the non-enforcement of this chapter, when the city council shall take action, and by motion accept or reject the plat so as aforesaid submitted for inspection.

## CHAPTER 3.

## ANIMALS.

ARTICLE I.—Running at large.

ARTICLE II.—Dead animals.

## ARTICLE I.

## ANIMALS RUNNING AT LARGE.

## SECTION

11. Unlawful to run at large, when to be taken up and placed in city pound.
12. Officer taking charge of such animals to feed and care for

## SECTION

- same, and advertise and sell and dispose of proceeds, how.
13. City marshal may appoint assistants, how, to receive what compensation.

SECTION 11. Hereafter no cattle, hogs, horses, mules, sheep, goats or other animals shall be permitted to run at large within the city limits, and all cattle, hogs, horses, mules, sheep, goats and other animals found running at large within the city limits, shall be taken up by the city marshal, or other authorized officer, and placed in some secure enclosure or pound, to be known and designated as city pound, which pound shall be provided by and at the expense of the city.

SEC. 12. Whenever any cattle, hogs, horses, mules, sheep, goats or other animals shall thus be taken up, it shall be lawful for the city marshal, and it is hereby made his duty to provide for the care and feed of the same, and to sell the same at public auction to the highest bidder for cash, having first given at least three days' notice of the time and place of sale and property to be so sold; such notice to be given by three insertions in the newspaper doing the city printing, the last insertion to be made on the day of sale or the day prior. All



sales under this article shall be conducted at the city pound, and each animal shall be sold separately, and the cost of taking up, keeping and selling any animal as herein provided shall be paid out of the proceeds of such sale, and when any animal is claimed by the owner it shall be delivered to such owner upon the payment to the city marshal of all the cost accruing at the time of such ownership being proven, and the costs of advertising shall be included. All moneys arising from such a sale, after deducting the costs, shall be paid to the owner of any animal sold, upon satisfactory proof of ownership being made to the city marshal by the claimant; and should no claim be made within thirty days for the proceeds of any such sale, by the owner or another for him, the same shall be paid into the city treasury, the costs being deducted and paid to the city marshal. The city marshal shall upon any sale being made under this article, give to the purchaser, upon payment of the amount bid, a bill of sale in which shall be stated the amount of costs and charges attending the proceedings and the price paid with a fair description of the animal sold. And such bill shall be *prima facie* evidence of the regularity of the proceedings and ownership of the animal in the purchase. The owner of the animal at the time the same was arrested, shall be entitled to redeem the same at any time within three months after the day of sale by paying to the purchaser all costs included in the bill of sale, and the purchase price with eight per cent. per annum interest and a reasonable compensation for keeping the same, and the cost of keeping any such animal by the purchaser may be offset by the valuable use of the same, and no person purchasing at such sale shall sell such animal under three months from the date of such purchase, without apprising the purchaser of all the facts, under the penalty of double the value of such animal to be recovered by the former owner in a civil action.

SEC. 13. For the purpose of carrying into effect the provisions of this article, the city marshal may employ one or more persons to aid him in the work herein prescribed. The appointment so made shall be approved by the mayor and the

person or persons so appointed shall subscribe and take the oath and be vested with the same authority as special police, and the compensation for all services of officers under this article shall be as follows, to-wit: For taking up and impounding every animal, except swine, one dollar; for the care and feed of the same per day, thirty cents; for taking up and impounding every hog (or swine) of any age, fifty cents; for the care and feed of same per day, twenty cents; for making every sale under ten dollars, five per cent. of the amount of the sale; for every sale of ten dollars or over, three per cent; for every sale bill made out and delivered, ten cents.

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## ARTICLE II.

### DEAD ANIMALS.

#### SECTION

14. Council may contract for removal of carcasses of, how.
15. Contractor to have regular office, to keep a book and enter all reports, etc.
16. Carcasses on private property, when to be removed by contractor, misdemeanor to interfere with.

#### SECTION

17. When a failure to remove by the owner a misdemeanor.
18. Bond to be executed by contractor, failure to comply with provisions of this article, effect of.

SECTION 14. The council is hereby authorized to contract with any person, company or corporation, for a term, not exceeding five years, for the removal of the carcasses of all dead animals found or being in the city limits, and all contracts shall conform to the conditions and provisions of this article, and shall be let under and provide such other conditions and provisions as shall guarantee the best possible sanitary results. Such contracts shall be let: *First*, upon sealed bids submitted to the council, on such notice, by publication in the paper doing the city printing, as the council shall deem proper to insure a fair competition. *Second*, when there are no bids secured or sub-

mitted on such advertisement, the council may contract with any person for such work, at a reasonable compensation, without further advertisement.

SEC. 15. Any person to whom any contract is awarded under this article, shall have some regular office or place, which shall not be to exceed five blocks from police headquarters, where dead animals may be reported; and it shall be the duty of all officers of the city, and especially the city marshal and police officers, and members of the board of health, to report the finding or existence of the carcass or the remains of any dead animals within the city, as soon as may be, and such report shall be entered in a book to be kept for that purpose at the office or regular place of business of the contractor where such reports are to be made as herein before provided; all reports shall be written in a legible hand, and designate the locality, as near as the same can be ascertained, where such carcasses or remains are to be found, also the hour when reported. The aforesaid book shall at all times be open to the inspection of the public and every person may report therein the existence of any carcasses or the remains of any dead animals within the city limits; and a report made by any officer or other person in the manner above provided shall be deemed to be notice to the contractor, and the contractor shall within twenty-four hours after said report is entered as aforesaid, remove all carcasses or remains of dead animals to a place beyond the city limits, and there dispose of the same so as not to create a nuisance.

SEC. 16. The carcasses of all dead animals lying on the streets, alleys, or public places of the City of Seegalia, or on private premises therein, and not slain for human food, and not removed by the owner or other person entitled thereto, within six hours of daylight time after the death of such animals, are hereby declared to be a nuisance, and shall be and become the property of the person at the time having the contract for the removal of dead animals, and he is hereby authorized to appropriate the same to his own use, and any person who shall interfere with such contractor in the removing of such dead ani-

mals or in attempting to remove the same shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not more than one hundred dollars

SEC. 17. Any person, the owner of, or entitled to take control of the carcass of any dead animal specified in this article, who shall take charge of any dead animal within the six hours of daylight time in said section sixteen mentioned, shall remove the same and every part thereof in the same manner and subject to the same rules of contractors therefor are subject to under this article, and any person failing or neglecting to comply with the provisions of this section shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than one dollar nor more than one hundred dollars.

SEC. 18. The contractor shall execute to the City of Sedalia a bond, with good and sufficient securities, in a sum double the contract price, for the whole term of his contract, to be approved by the mayor, and filed and preserved in the office of the city clerk, conditioned for the faithful and punctual performance of the duties imposed by this article and the provisions of his contract, and any failure of the contractor to comply with or fulfill any of the provisions of this article or of the contract, shall operate as an annulment of the contract, and forfeiture of his bond, when so declared by resolution of the city council, and not before, and on any charge of such failure the contractor shall have a right to be heard.

## CHAPTER 4.

## ASSESSOR

## AND ASSESSMENT OF PROPERTY.

## SECTION

19. Assessment of property, when and how to be made.
20. How made when person owning property is sick or absent.
21. Assessment list to be sworn to, how, and penalty for failure to have same done.
22. Oath to be taken, form of, penalty for refusal to make, oath and list when to be filed.
23. When no list is given, the assessor to make same, when and how.
24. Failure to make out list after notice is given property to be assessed double, penalty for assessor to fail to do so.
25. Returning false list, penalty for, duty of assessor and board of equalization.
26. Manufacturing and other corporations, property how assessed.
27. Stock and shares of Building and Loan associations, how assessed.
28. Such assessment to be paid by corporations, etc.
29. Failure of corporations to comply with the provisions of this chapter, penalty for.
30. The assessor's book of last assessment to be delivered to assessor by city clerk and returned when, penalty for failure to return.

## SECTION

31. Property assessed to be listed and entered in book.
32. Assessor's book to be kept, how.
33. Property omitted in the assessment for any year, how assessed.
34. Informality, etc., of assessment not to invalidate the same.
35. Value on property assessed to be fixed how, and when made.
36. Property not required to be listed, what proportion of credits, etc.
37. Credits, how listed, what permitted to be deducted.
38. Assessment made in absence of head of family, duplicate list to be left, when.
39. Who liable to be assessed for taxes, property owned on 1st day of June.
40. Assessor's book to be returned, when, penalty for failure of.
41. Tax book to be made by clerk, how and when.
42. Preparing the assessor's book, the manner of.
43. Tax book when completed to be certified to by clerk and turned over to collector, how.
44. Compensation of city assessor, when and how paid.
45. When no special provision is made State law to govern.

SECTION 19. The city assessor, jointly with the county assessor, shall, between the first days of June and January, and after being furnished with the necessary books and blanks by



the city clerk, at the expense of the city, proceed to take a list of all taxable property within the city, and assess the value thereof in the manner following, to-wit: He shall call at the office, place of doing business or residence of each person required by law to list property for taxation for state and county purposes, and the charter and ordinances of the City of Sedalia, and shall require such person to make a correct statement of all taxable property owned by such person or under the care, charge or management of such person, except merchandise, which may be required to pay a license tax, and being within the State of Missouri, in the same manner and under the same requirements as are required and provided for the listing of property for taxation for State and county purposes, and the charter and ordinances of the city; and the person listing the property shall enter a true and correct statement of such property in a printed or written blank, prepared for that purpose, which statement, after being filled out, shall be signed and sworn to, to the extent required by ordinance and charter of the city and laws of this State by the person listing the property, and delivered to the assessor. Such list shall contain: *First*, a list of all the real estate and its value, to be listed and assessed on the first day of June, 1893, and annually thereafter, anything to the contrary notwithstanding. *Second*, a list of all the live stock, showing the number of horses, mares and geldings, and their value; the number of asses and jennets, and their value; the number of mules, and their value; the number of neat cattle, and their value; the number of sheep, and their value; the number of hogs, and their value; and all other live stock and its value. *Third*, an aggregate statement of all the farm machinery and implements, and their value. *Fourth*, a statement of household property, including the number of pianos and other musical instruments, clocks, watches, chains and appendages, sewing machines, gold and silver plate, jewelry, household and kitchen furniture, and the value thereof. *Fifth*, money on hand. *Sixth*, money deposited in any bank or other

safe place. *Seventh*, an aggregate statement of solvent notes unsecured by mortgage or deed of trust. *Eighth*, an aggregate statement of all solvent notes secured by mortgage or deed of trust. *Ninth*, an aggregate statement of all solvent bonds, whether state, county, town, city, township, incorporated or unincorporated companies. *Tenth*, all other property not above enumerated (except merchandise), and its value. Under this head shall be included all pleasure carriages of all kinds; all printing presses, type and machinery therewith connected; and all portable mills of every description, and all post coaches, carriages, wagons and other vehicles used by any person in the transportation of mails (except railway carriages), all carriages, hacks, wagons, buggies and other vehicles of every kind and description kept or used by liverymen, all carts, hacks, omnibusses and all other vehicles used in the transportation of persons (except railway carriages), and all paintings and statuary, and every other species of property not exempt by law from taxation.

SEC. 20. If any person required by this chapter to list property shall be sick or absent when the assessor calls for a list of his property, the assessor shall leave at the office, the usual place of residence or business of such person, a written or printed notice, requiring such person so make out and leave at the place named by the assessor, on or before some convenient day named therein, not less than ten nor more than twenty days from the day of such notice, a sworn statement of the property which he is required to list, and shall leave with such notice a printed or written blank upon which to make the statement required of such person. The date of leaving such notice, and the name of the person required to list the property, shall be carefully noted by the assessor; and if any such person shall neglect or refuse to deliver the statement, properly made out, signed and sworn to as required, the assessor shall make the assessment, as required in this chapter; *Provided*, that the assessor may omit assessing the penalty in cases of neglect, where he is satisfied the same is unavoidable and not willful.

SEC. 21. The city assessor, the county assessor and any deputy county assessor, the county clerk, circuit clerk, notaries public, judges of the county court, justices of the peace, probate judges, and the city clerk and all other judicial officers, are empowered and authorized to administer any oath relating to the assessment of property required by this chapter, and to affix thereto their jurat and seal, if they have one, and the assessor shall be liable to a fine or forfeiture of not less than ten dollars to be recovered by suit on his official bond by indictment, for each list he shall receive without same being duly sworn to before some such officer; *Provided*, he shall not be subject to a fine or forfeiture in any case where he has made out such statement on his own knowledge or information, in the absence of the person whose property is listed, or where he has made it out on the refusal of the tax-payer to make it out and swear to it.

SEC. 22. The oath to be signed and sworn to by each person making the statement of property required by this chapter shall be as follows:

I, \_\_\_\_\_, do solemnly swear, or affirm, that the foregoing list contains a true and correct statement of all the property made taxable by the laws of the State of Missouri, including therein the number of horses, number of neat cattle, number of sheep, number of hogs, number of asses and jennets, number of mules, all other live stock, all farm machinery and implements, household furniture, musical instruments, clocks, watches, chains and appendages, sewing machines, gold and silver plate, jewelry, household and kitchen furniture, money on hand, money deposited, notes unsecured by mortgages or deeds of trust, notes secured by mortgages or deeds of trust, all bonds whether state, county, town, city, township or of incorporated or unincorporated companies, and all other property and its value, which I owned on the first day of June, 18—, or which I had under my charge or management, or any money or property due me on said day from solvent persons or companies, on notes, accounts or otherwise, as fully and specifically as

I am required to make out a return thereof under this chapter, and the laws of Missouri, and I do further solemnly swear, or affirm, that I have not sent or taken, or caused to be taken, any of my property, money or bills, bonds or notes, or other securities or evidences of debts, out of this State to avoid taxation. So help me God.

Any person who shall refuse to make oath to his list, when required so to do by the assessor or his deputy, shall be subject to a fine of not less than ten dollars nor more than one thousand dollars, to be recovered by suit in the name of the State of Missouri, or by indictment; and no property shall be exempt from execution issued on judgments by suits or indictments under the provisions of this chapter. The oath and list required by this chapter shall be by the assessor, after he has completed his assessor's book, filed in the office of the city clerk, and by him after entering the filing of the same thereon, be preserved and safely kept. And no such list shall be changed or altered or amended after it is filed with the city clerk, except by order of the board of equalization or city council; and any person who shall alter, change or amend any such list without such order shall, upon conviction, be fined not less than ten nor more than one hundred dollars, and every city clerk or deputy city clerk, who shall knowingly permit any such list to be altered, changed or amended without such order, shall forfeit one hundred dollars, to be recovered by suit upon his official bond.

SEC. 23. Whenever there shall be any taxable property in the city, and from any cause no list thereof shall be given to the assessor in proper time and manner, the assessor shall jointly with the county assessor as hereinbefore provided, make out the list, on their own view, or on the best of information he can obtain, and for that purpose he, with the county assessor, shall have lawful right to enter into any lands and make any examination and search which may be necessary, and may examine any person upon oath touching the same.

SEC. 24. If any person, being notified as aforesaid, shall fail to deliver the required list to the assessor, the property

which ought to have been listed shall be assessed at double its value; and if the assessor shall neglect or refuse so to do, he shall be liable in each case, to a penalty of ten dollars, to be recovered at the suit of the city, and to be paid into the city revenue fund.

SEC. 25. If any person shall, with intent to defraud, deliver to the assessor a false list of his property, it shall be the duty of the assessor to give notice in writing thereof to the board of equalization sitting for the equalization of values on property within the city and composed of the county board of equalization and the mayor and the assessor of the city; and the said board shall, on receiving such notice, give notice thereof to the person who shall have furnished such false list, which notice shall specify the particulars in which said list is alleged to be false, and shall fix a time for a hearing of the matter, on which day the person aforesaid shall have the right to appear and defend against such charge; and if it appear that such person is not guilty as charged the board shall dismiss the matter; but if it appear that such person is guilty as charged, it shall be the duty of the board of equalization to ascertain the true amount and value of all property of such person subject to taxation within the city, for city purposes, and to tax the same as similar property of other persons is taxed, and in addition shall, by way of penalty for furnishing such false list, treble the amount of taxes thus ascertained against the person; and such person shall be required to pay such treble amount and shall in addition thereto be liable to be punished for perjury.

SEC. 26. The property of manufacturing companies and other corporations named in article eight, chapter forty-two, of the Revised Statutes of the State of Missouri of the year 1889, and of all other corporations, the taxation of which is not otherwise provided for by law, shall be assessed and taxed as the property of individuals. Persons owning shares of stock in banks or any joint stock institution or association doing a banking business, or any insurance company, whether fire, marine,



life, health, accident or other insurance, incorporated under or by any law of the United States or State of Missouri, are not required to deliver to the assessor a list thereof; but the president or other chief officer of such corporation shall, under oath, deliver to the assessor a list of all shares of stock held therein, and the names of the persons who hold the same, and shall also state the actual cash value of such stock and all the property belonging to such corporations. In estimating the value of such stock and property, the officer making the same shall estimate and include all reserve funds, undivided profits, premiums or earnings, and all other values belonging to such corporations, which cash value shall be assessed and taxed as other personal property. Insurance companies, or any corporations doing business on the mutual plan without capital stock, shall make like returns of the net value of all assets or values belonging thereto, which net value shall be assessed and taxed in like manner. Private bankers, brokers, money brokers and exchange dealers, shall in like manner make return of all moneys or values of any description invested in or used in their business, which shall be taxed as other personal property.

SEC. 27. All parties holding stock in shares as owners or in trust in any building or loan association of this city, on which no loan has been obtained from such association, with the actual cash value of each share on the first day of June in each year, and the tax shall be levied upon said shares, and collected from such holder or depositor of the same, as taxes on other personal property; and any failure on the part of such owner, holder or depositor of such shares shall subject such holder to the same penalties in this chapter provided for failure to give the assessor a true list of all taxable property, verified by affidavit.

SEC. 28. The taxes assessed on shares of stock embraced in such list shall be paid by the corporations, respectively, and they may recover from the owners of such shares the amount so paid by them, or deduct the same from the dividends accruing on such shares; and the amount so paid shall be

a lien on such shares, respectively, and shall be paid before a transfer thereof can be made.

SEC. 29. If the president or other chief officer of any such corporation fail to comply with the provisions of this chapter, he shall forfeit to the city one thousand dollars, to be recovered by civil action in the name of the city.

SEC. 30. The city clerk shall deliver to the assessor, before the beginning of his assessment, in each year, the assessor's book of the last assessment of real estate, and take his receipt therefor, and the assessor, as soon as he shall have completed his assessment and made his assessor's book for the year, shall return such book to the city clerk; and if the assessor shall fail to return such book to the city clerk, or shall return it in a defaced or mutilated condition, the city shall withhold so much of his salary as shall be sufficient to replace the same, and if the city shall not then be indebted to the assessor in a sufficient amount to cover the expense of such replacement, then, in addition to withholding his wages, he shall be liable to the city on his official bond.

SEC. 31. The assessor, on examination of the list of property delivered by individuals, and after diligent effort for ascertaining all taxable property in the city, or subject to taxation by the city, shall make a complete list of all such property in a book provided for that purpose, to be called the assessor's book for the year 18——.

SEC. 32. The assessor's book shall be arranged and divided into two parts only. Part first to be known and denominated the land list, which shall contain all lands by the assessor assessed, and arranged as nearly as may be in numerical order, according to the number of lots and blocks, and shall be placed in the land list, with the owner's name, if known, opposite thereto, the lowest numbered lot, block or survey always to be placed first in the land list. At the close of the land list, the assessor shall place all the land which cannot be properly described by numerical order of lot or block, which shall be otherwise briefly described, indicating the quantity and location

thereof, with the owner's names, if known, alphabetically arranged opposite thereto, and the assessor shall place in a column opposite each tract of land the assessed valuation thereof. Part second shall be known and designated as the personal property list, which shall contain a list of the names of all persons liable to assessment, alphabetically arranged, and the assessor shall set opposite their names the personal property respectively owned, controlled or managed by them. It shall be in tabular form, with suitable captions, and separate columns for the names of persons assessed for each kind of property, the assessors value thereof, the whole amount chargeable to each person, and such other columns as may be useful and convenient in practice.

SEC. 33. If by any means any tract of land, lot or block shall be omitted in the assessment of any year, or series of years, and not put on the assessor's book, the same when discovered, shall be assessed by the assessor for the time being, and placed upon his books, before the same is returned to the city clerk, with all arrearages of tax which ought to have been assessed and paid in former years charged thereon.

SEC. 34. No assessment of property, or changes thereon, shall be considered illegal on account of any informality in making the assessment, or in the tax list, or on account of the assessment not being made or completed within the time required by the ordinances of the city.

SEC. 35. The assessor shall assess and value all property on the assessor's book according to its true value, in cash, on the first day of June of the year for which the assessment is made; and all personal property shall be valued at the cost and price of such property at the place of listing the same for taxation. Each tract of land and city lot shall be assessed and valued separately and each kind of property shall be assessed separately from every other; but, *First*, the number of horses, mules, asses, and their valuation; *Second*, the number of cattle, and their valuation: *Third*, the number of hogs, and their valuation, shall be entered in separate columns; *Fourth*, all money,

notes, bonds and other credits in a separate column, but clocks, watches, carriages and household furniture, and all other personal property, shall be entered in one column, under the name of other personal property.

SEC. 36. No person shall be required to list a greater portion of any credits than he believes will be received or can be collected, nor any greater portion of any obligation given to secure the payment of rent than the amount that shall have accrued on the lease, and shall remain unpaid at the time of such listing. No person shall be required to include in his statement any portion of the capital stock of any company or corporation, when such company or corporation is required by law to list or return both its capital stock and property for taxation by this city, except as in such cases as may be otherwise specially provided for; nor shall any partner be required to list or return any property, liability or supposed balance of said partnership due him, the property, effects and credits of said partnership having been listed by any other partner.

SEC. 37. In making up the amount of credits which any person is required to list for himself or for any other person, company or corporation, he shall be entitled to deduct from the gross amounts of credits the amount of all bona fide debts owing by such person, company or corporation for a consideration received; but no acknowledgment of indebtedness, not founded on actual consideration, believed when received to have been adequate, and no such acknowledgment made for the purpose of being so deducted, shall be considered a debt within the meaning of this section; and so much only of any liability as surety for others, shall be deducted, as the person making out the statement believes he is legally and equitably bound, and will be compelled to pay, on account of the inability or insolvency of the principal debtor, and if there are sureties who are able to contribute, then only so much as the surety in whose behalf the statement is made will be bound to contribute; *Provided*, that nothing in this section shall be so construed as to apply to any bank, company or corporation exercising banking power or

privileges, or to authorize any deductions allowed by this section from the value of any other items of taxation than credits.

SEC. 38. Whenever an assessment of property is made in the absense of the head of the family, a duplicate list of such assessment shall be left with some member of the family not less than fifteen years of age, and the assessor shall leave a copy of the assessment with the owner, at the time of listing the same, if demanded by such owner.

SEC. 39. Every person owning or holding property on the first day of June, including all property purchased on that day, shall be liable for the taxes thereon for the ensuing year.

SEC. 40. The assessor shall, on or before the first day of January of each year, return his assessor's book to the city council with the following affidavit annexed thereto:

I, \_\_\_\_\_, being duly sworn, make oath and say, that I have made diligent efforts to ascertain all the property subject to taxation by the city on the first day of June last past; that, so far as I have been able to ascertain the same, it is correctly set forth in the foregoing book, in the manner, and the value thereof stated therein, according to the mode required by ordinance.

\_\_\_\_\_ Assessor.

And upon the failure of the assessor to make such return, in the time above required, he shall forfeit to the city two hundred dollars to be recovered by civil action; *Provided*, that the city council may, in their discretion, relieve the assessor from such forfeiture.

SEC. 41. As soon as the assessor's book shall be corrected and adjusted, the city clerk shall, within twenty days thereafter, make a fair copy thereof, with the taxes extended thereon, authenticated by the seal of the city, for the use of the collector; and such copy of the assessor's book shall be called the tax book.

SEC. 42. In preparing said assessor's book, the assessor shall provide therein two columns for values, the first to contain the total assessed valuation of personal and real property,



the second to contain the valuation of such property as corrected and equalized by the board of equalization. In all cases of extension, when the equalized valuation shall happen to be fractional, the assessor shall reject all such valuation as may happen to fall below fifty cents: fractions of fifty cents or more shall be extended as one dollar. In the extension of the taxes, the fractions of a cent shall be extended as one cent. The taxes shall be computed and extended by the city clerk, against the valuation produced by the board of equalization, in a column which shall be headed with the total tax rate of the city. The city clerk shall add up the figures, showing the total amount of such tax, and the aggregate amount shall be noted on each page. The city clerk shall test the accuracy of such additions, by computing the amount of such tax on the aggregate amount of property on each page, that he may be certain that the tax has been properly added and extended.

SEC. 43. Immediately after said tax book is completed, as provided in the foregoing sections of this chapter, the city clerk shall append thereto his certificate that the same is a true copy of the assessor's book, as corrected by the board of equalization, and he shall also affix thereto a copy of the ordinance fixing and levying the tax for the year for which said book shall have been made, and deliver the same to the collector, and take his receipt for the total amount of the tax charged in the tax book, and charge the collector with the same.

SEC. 44. As full compensation for all the duties required of the city assessor by this chapter and the charter of the city, and the laws of the State of Missouri he shall receive a salary of six hundred dollars per annum to be paid at the same time and in the same manner as the salaries of the other officers of the city.

SEC. 45. All things not herein specifically provided for shall be done and performed in conformity with the general law of the State with reference to assessments for taxation for State and county purposes, so far as the same may be followed consistently and without conflict.

## CHAPTER 5.

## CITY CEMETERY.

## SECTION

46. General management of, in whom vested.
47. Bills or accounts for repairs, etc., to be presented to council, how paid.
48. Schedule of prices on, and sales of lots, how and by whom made, burial of poor in block 11, when made.
49. Deed to lot to be recorded in book by city clerk.
50. Mayor to execute deed, only upon receipt of schedule price, to keep record of same.
51. Money received by mayor to be turned over to treasurer,

## SECTION

- who shall receipt for same and place to cemetery account.
52. Mayor to make report of lots sold, etc., how and when.
53. Mayor to appoint sexton, how and when, duty of sexton.
54. Graves dug, depth of, etc.
55. Sexton to keep in repair and report to the council needed repairs, etc, general duties of.
56. Misdemeanor to injure, deface, etc., to trespass, commit nuisance, etc.
57. Sexton to give bond, in what sum.

SEC. 46. The general management of the city cemetery of the City of Sedalia, situate northeast of said city, shall be vested in the mayor and city council.

SEC. 47. All bills or accounts for any improvements or repairs on said cemetery, shall be presented to the city council for allowance, in like manner as other bills and accounts are audited. All such bills and accounts shall be paid out of the cemetery funds by warrants drawn on the city treasurer.

SEC. 48. It shall be the duty of the city council to grade the price of all lots not sold in the cemetery according to the location and desirability of the same, and furnish a schedule of such prices to the mayor and sexton of the cemetery, and it shall be the duty of the mayor to execute and deliver sufficient deeds of conveyance of the lots in said cemetery to any person who may purchase the same at the price or sum determined by said schedule; *Provided*, that the mayor may assign a place of

burial to any poor person unable to pay for the same, when necessity demands it, in block eleven in said cemetery, free of charge.

SEC. 49. Any person who shall receive a deed to any cemetery lot, shall present the same to the city clerk, whose duty it shall be to record said deed in a book kept for that purpose.

SEC. 50. The mayor shall in no case execute a deed for any lot, or any single grave, unless the schedule price of the same be paid to him at the time of executing such deed. And the mayor shall keep a record, in a book kept for that purpose, showing the numbers and locations of all lots and graves sold, and grave lots assigned to poor persons, together with the names of the persons who purchased the same, or to whom any grave may be assigned, and also the price charged and received by him for said lots or grounds. And if the mayor shall sell and convey any lot or grave, without receiving the schedule price therefor, he shall be held accountable to the city for such sums as he fails to collect.

SEC. 51. All moneys received by the mayor from the sale of cemetery lots, or other matters connected with the cemetery, shall be paid by him into the city treasury, and the city treasurer shall receipt to him for the same, and shall place all such moneys to the credit of what shall be known as the city cemetery fund.

SEC. 52. The mayor shall make semi-annual written reports of the number of lots sold, and assigned to poor persons, with the names of the persons buying the same, or poor persons to whom assigned, together with a proper description of such lots; and he shall make any additional written report of the matter above recited whenever required to do so by a resolution of the city council.

SEC. 53. It shall be the duty of the mayor to appoint and the council to confirm, as in other appointive offices of the city, some suitable person as sexton of the cemetery, whose duty it shall be to cause to be dug and filled up, all graves for

the interment of the dead that may be buried in the cemetery; and he shall receive for digging and filling up each grave the sum of three dollars, but no person shall be compelled to employ such sexton to dig and fill any grave, but he shall be entitled to receive the sum of one dollar for laying off and superintending any grave which he may not be employed to dig and fill: *Provided*, that the person or persons for whom such graves are dug and filled shall pay such fees, and the city of Sedalia shall in no wise be responsible for the payment of the same.

SEC. 54. All graves shall be dug sufficiently deep so that the top of the coffin or box shall be at least four and one-half feet below the surface of the ground.

SEC. 55. It shall be the duty of the sexton to keep and preserve the grounds, fences, enclosures, and other property pertaining to the cemetery in good repair; to report to the council any repairs or improvements that may be needed; to prevent trespassing on the grounds, preserve the monuments, graves and property generally in and about the cemetery, from being injured or defaced; to keep the walks and avenues free from grass, brush, weeds, and other incumbrances; to keep a true record in a book kept for that purpose, of the name, age, nativity, date of death, last place of residence, cause of death, and the lot and block in which buried, of every person interred in said cemetery.

SEC. 56. Any person who shall injure, deface or destroy any grave, tombstone, monument or fence thereon, or any of the flowers, plants or shrubbery in said cemetery, or who shall be guilty of any lewd or indecent conduct in said cemetery, or who shall be found in said cemetery after 9 o'clock p. m. without permission from the sexton, shall be deemed guilty of a misdemeanor, and upon conviction be punished by a fine of not less than five nor more than one hundred dollars.

SEC. 57. Any person before entering upon his duties as sexton, shall enter into a good and sufficient bond, with at least

two good sureties, in a sum not less than five hundred dollars, to be approved by the mayor, conditioned for the faithful discharge of the duties of his office.

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## CHAPTER 6.

### CHARITY.

**SECTION**

58. Board of charitable relief; shall consist of whom, duty of.

**SECTION**

59. Board to keep what record, etc.

SECTION 58. There shall be a board of charitable relief in and for the City of Sedalia, which shall consist of the mayor, the president pro tem. of the city council and the marshal, for the purpose of managing and distributing all funds appropriated and received for the relief of destitute persons and families by the city, and all funds, provisions, fuel and clothing contributed by individuals.

SEC. 59. The mayor of the city shall be chairman of said board, and it shall be the duty of said board to keep a record of all funds and property received by them for charitable purposes, and the names of destitute persons or families to whom paid or distributed, and also the names of every person or family for whom they have authorized the attendance of physicians, or the furnishing of medicine by prescription or otherwise, and all other transactions; and they shall make reports to the city council whenever required by them, and shall make semi-annual reports at the same times required by other officers.



## CHAPTER 7.

## CONDEMNATION OF PRIVATE PROPERTY.

## SECTION

60. Private property taken, compensation to be made, how determined.
61. Private property to be taken, limits of benefit district, how determined.
62. Compensation for, how determined by the jury, in case of failure to agree what.
63. Party may relinquish property and be exempted from payment of benefits, how.
64. Verdict of jury to be reported

## SECTION

- to council and acted upon; special tax-bills to be issued how and when; general provisions governing.
65. Appeals from condemnation proceedings, how and when taken; proceedings in circuit court and the enforcement of judgments therein.
66. Clerk to keep full record, when and effect of as evidence, cost in condemnation proceeding, how paid.

SECTION 60. Whenever the council shall, by ordinance, provide for establishing, opening, widening, extending or altering any street, avenue, alley, wharf, market place or public square, or route for sewer, either on its own motion or on the petition of the majority of the owners of the ground fronting thereon, and it becomes necessary for the purpose to take private property described in such ordinance, just compensation shall be paid therefor to the owner or owners of such property, which the mayor shall cause to be ascertained and assessed by a jury of six disinterested freeholders of the city, by proceedings prescribed by ordinance, and as in this chapter provided. The mayor shall have and exercise the power of a circuit court for conducting such proceedings, for the preservation of order and enforcing process issued in the course of proceedings, and may summon and compel the attendance of witnesses and jurors, and fine and commit any person guilty of a misdemeanor or contempt, preside at the investigation and pass on the competency

of evidence, and instruct the jury on questions of law arising thereon. The city clerk shall issue process, and attend and record orders made by the mayor.

SEC. 61. When any ordinance provides for the taking of private property, as authorized in the preceding section, the council shall by ordinance, before any steps are taken to empanel a jury, determine and prescribe the limits within which private property shall be deemed benefited by the proposed improvement, and be assessed and charged to pay compensation therefor, and thereupon the city engineer shall make out and deliver to the mayor a statement, by plat, map or otherwise, containing a correct description of the several lots or parcels of property deemed benefited and to be assessed to pay compensation, as provided by ordinance as aforesaid, and containing also the names of the owners or claimants of such lots or parcels of property, or of any interest or estate therein, who may be such at the time of the passage of the ordinance providing for the taking of such property. The mayor shall thereupon, by order, appoint a day or place for empaneling a jury to ascertain the compensation for the property to be taken, and to make assessments to pay the same. The city clerk shall then issue a notice, under his hand and seal of the city, which shall give the names of the owners of the property to be taken, and state that their property will be taken for the purpose specified in the ordinance, giving the title and date of approval thereof, and that a jury will be empaneled to make such assessment on the day and at the place fixed by the mayor. Each property owner shall be served with a notice in which the name of the owner is given, either by delivery to such owner a copy of the notice, or leaving such copy for such owner at the usual place of abode of such owner, with some member of the family of such owner over the age of fifteen years—corporations to be served in like manner as with summons in ordinary civil actions—or if service cannot be made on all or any of the parties, as aforesaid, within the city limits, the return shall so state, and the return on such notice shall be *prima facie* evidence of the facts stated therein;

thereupon a copy of the notice not fully served, or if necessary an alias notice, specifying a different day to be fixed by the mayor for empaneling a jury, shall be published for four weeks before the day fixed for empaneling the jury, in the newspaper for the time doing the city printing. The mayor may continue the matter of empaneling a jury from time to time, and cause new notices to be issued or published for owners named by the engineer or others interested, until jurisdiction of the proper parties is obtained. An affidavit of any publisher of any notice, accompanied with a copy of the notice, shall be evidence of the fact of publication as stated therein. Service of the notice shall be made at least six days before the jury shall be empaneled; publication shall be sufficient if made for four weeks next preceding the empaneling the jury. It shall be sufficient to bring in the owners of property who may be such at the date of the passage of the ordinance providing for the improvement, and all parties claiming or holding through or under such owners, or any of them, shall be bound by the proceedings without being brought in; in respect to any property affected by the proceedings through any or all of the parties claiming or holding through or under such owners, or any of them, may be joined on their own motion, or be brought in on order of the mayor.

SEC. 62. The jury shall first ascertain the actual damage done to each person or corporation in consequence of taking their property for such purposes, without references to the proposed improvement, as the just compensation to be made therefor; and second, to pay compensation, assess against the city the amount of benefit to the city and public generally, inclusive of benefits to any property of the city, and against the several lots or parcels of private property deemed benefited, as determined according to the last section, by the proposed improvement, the balance of such compensation—each lot or parcel of ground to be assessed with an account bearing the same ratio to such balance as the benefit to each lot or parcel of ground bears to the whole benefit to all the private property assessed. Parties interested may submit proof of it to the jury, and the latter

shall examine, personally, the property to be taken and assessed. The verdict of the jury shall be signed by each juror and delivered to the mayor, and contain a correct description of each lot or parcel of property to be taken, the names of the owners or claimants, and the value thereof, and also the amount assessed against the city, together with a correct description of each lot or parcel of private property assessed, and the amount assessed against the same, and the names of the owners thereof. The city engineer and city attorney shall, when required by the mayor, aid the jury to put their verdict in proper form; and they shall not be discharged until the mayor is satisfied the verdict is correct in form. The mayor may adjourn the proceedings from time to time, until the matter is completed. If the jury can not agree, the mayor may discharge them, and may proceed to empanel another jury to perform the duties devolving on a jury by this chapter, and no notice to parties interested shall be necessary beyond the order of the mayor, recorded by the clerk: but the order to empanel a new jury must be made and recorded on the day of discharging any jury, and fix the time and place for empaneling a new jury, or nothing further shall be done under the ordinance. No compensation shall be made to any property owner who petitions for proceedings under this chapter.

SEC. 63. When any one or more of the owners of property which it may be necessary to take for public use in the opening, widening or extending of any street, alley, park or route for sewer by virtue of any ordinance of the city, opening any such street, alley, avenue, park or route for sewer, shall propose to relinquish such property without claim or damages, on condition of exemption from payment of benefits for such improvements, or other conditions the council may be authorized to compromise or agree with such persons, and to remit, abate and exempt from the payment of damages, on condition of benefits, wholly or partly, as equity may seem to require, and proceed to condemn such other property as may not be relinquished for the purpose, and to assess the damages and benefits

therefor, to and upon such other persons and property as may be damaged or benefited by such improvements, anything contained in this chapter to the contrary notwithstanding.

SEC. 64. The mayor shall, after the rendition of the verdict, report the same, together with the proceedings under the last section, to the council; and if the same be not confirmed within sixty days from the making of the report, the proceedings and verdict shall be void, and new proceedings may be instituted at any time after the expiration of eight months from the making of such report. If the council, by ordinance, confirm the verdict and proceedings under the two preceding sections, within sixty days from the report of the mayor, an appropriation shall be made to pay such sum as has been assessed against the city; and the amounts assessed by the jury against the property shall be a lien on the several lots and parcels of property charged, from the day the ordinance providing for the improvement takes effect until paid and if not paid within thirty days, after the confirmation, shall bear interest at the rate of fifteen per cent per annum from the confirmation of the verdict, and shall be collected by the city as provided by ordinance, by suit or otherwise, as any other special tax, or by special execution as follows, viz.: A special tax bill may be issued by the city clerk, under his hand and seal of the city, against any lot or parcel of ground assessed, which bill shall contain a description of such lot or parcel of ground, the names of the owners thereof, and the amount assessed against the same, as appears by the verdict, and state that the assessment has been made to pay compensation for private property taken for the purpose specified in the ordinance providing for the improvement, giving the title and date of approval thereof, and that such assessment has been confirmed by ordinance, giving the title and date of approval of same; and the amount of such assessment shall bear interest as herein provided. Each tax bill so issued shall be filed in the office of the clerk of the circuit court of Pettis county, and by such clerk recorded and indexed as a judgment in favor of the city against the property described in



the bill. At any time after the filing and recording of any such tax bill as aforesaid, a special execution may be issued thereon, out of said circuit court in vacation or term time, as on a judgment of the court in favor of the city; which execution shall recite the tax bill or the record thereof, and state when the bill was filed, and be directed to the sheriff of Pettis county, and command him, in case the assessment, interest and costs be not paid to him, to sell the property therein described, or so much thereof as may be necessary to pay such assessments, interests and costs. The proceedings under such special executions shall, as far as practicable, conform to the proceedings on special executions on ordinary judgment foreclosing liens on lands. Any sale, including the making of a deed by the sheriff to the purchaser, made as aforesaid, shall vest in the purchaser all the right, title, interest and estate in the land of the parties named as owners in the tax bill, who have not paid their share of the assessment, and all parties claiming through or under them or any of them by operation of law or otherwise, shall be bound thereby. Tax bills filed and recorded as aforesaid shall be subject to the order of the circuit court, and may be set aside, or the amount of the assessment reduced, on motion of any party interested in the property assessed, the city having reasonable notice of the filing of such motion and the object thereof. If no title can be acquired under the proceedings to any of the property sought to be taken, the court shall set aside any bill and assessment on motion. If by reason of any defect or omission in the proceedings the city can not acquire title or right to any particular parcel of property, or to any interest in any parcel of property sought to be taken, the court shall, on the facts being made to appear, reduce the assessment by deducting therefrom so much thereof as was assessed on account of the property or interest in the property sought to be taken, but not acquired, to be determined, as far as practicable, from the verdict of the jury making the assessment, and award execution for the residue. No assessment shall be effected or interfered with for the reason that any other assessment or as-

sessments made in the same proceedings may be invalid in whole or in part. Executions and proceedings thereon shall be under the control of the circuit court or the judge thereof, as in ordinary civil cases. The owner of any individual interest in any lot or parcel of property assessed may pay his share separately. No sale on execution, or any special tax bill, shall be effected or invalidated because there may have been ground to set aside or reduce the bill. In the case of the death of any property owner, pending any proceedings under this chapter, it shall not be necessary to bring in his representative to revive judgment against him, though it may be done if advisable. The city may resort to all or any of the modes of collecting such assessments at the same time, but shall have only one satisfaction. Money collected on such assessments shall be used only to pay such compensation, and interest collected shall be apportioned and paid equitably to the owners of the property taken.

SECTION 65. In case the city or any defendant to such proceedings shall feel aggrieved by the verdict of the jury, such party so aggrieved may, within twenty days from the time the verdict of the jury is confirmed by the council, appeal to the circuit court in and for Pettis county. If the appeal is taken by either party, the same shall be taken and perfected by the filing with the clerk of the city, within the time aforesaid, such an affidavit as is required by law in appealing from the judgment of a justice of the peace. If an appeal is so taken, the clerk of said city shall, within fifteen days from the taking of such appeal, file a complete transcript of the proceedings, and all papers filed and used in the trial, certified by him, with the clerk of the circuit court; and the circuit court shall thereupon become possessed of the cause, and said cause, unless dismissed, shall be tried *de novo* in said court, and the parties thereto shall have a speedy trial thereof, and to that end said cause shall have precedence over all other causes; and if necessary to a full determination of any question arising in said cause, the circuit court shall have power to make and bring in other parties to

such proceedings, on service of notice upon them for six days, or by publishing a notice to them for the same length of time in any daily newspaper published in the city, and the parties so made by either kind of notice, and all persons claiming under them, shall be bound by such proceedings; and if such appeal is taken within fifteen days preceding any term of circuit court in said city, it shall stand for trial at such term; and if appealed during the sitting of such court, the case shall be immediately docketed upon the filing of the transcript, and stand for trial, and shall at the same term, and shall always stand for trial, and shall not in any case be continued to any succeeding term, but, for good cause, may be postponed from week to week, in the discretion of the circuit judge; and the said circuit court shall always be open for the trial of appeals in such cases, and the judge of such circuit court shall have power, and it shall be his duty, to hold a sitting of the court for the speedy trial thereof, at the court house in said city, at any time in vacation, and summon a jury before him, unless a jury is waived, for the trial of such appeals, only such trials to be had in all respects and subject to the same rules and same law, as other trials had in the circuit court, and the same record thereof made and kept. The verdict of the jury, or the finding of the circuit judge sitting as a jury, as the case may be, shall conform in all respects to the requirements of the government of the jury making the first assessment, and the verdict shall have the same force and effect as is provided in regard to said first verdict, and shall be binding on the parties, and the assessment against private property shall be paid in the same time, and until paid, bear the same rate of interest as is above provided; and the amount assessed by the jury against property shall be a lien on the several parcels of property charged from the day the ordinance for the improvement takes effect until paid; and if such assessments are not paid within ten days from the filing of the verdict of the jury, a special execution shall issue against the several lots or parcels of land against which assessments for benefits are so made, which execution shall specify and show a description of the lot,

the owner thereof, and the amount assessed against the same, as shown by the verdict of the jury, and state that the assessment has been made to pay compensation for private property taken for the purpose specified in the ordinance providing for the improvement, and be directed to the sheriff of Pettis county, and commanding him, in case said assessment, interests and costs be not paid to him, to sell the property therein described, or so much thereof as may be necessary to pay such assessment, interest and costs. The proceedings under such execution, making a deed to the purchaser, shall conform to ordinary proceedings on special executions issuing out of said court in ordinary cases; and the said proceedings, sale and deed shall have the same effect and force as is stated in section 64. Said execution shall issue in favor of the City of Sedalia, and when paid, the money shall be held by said city as a special fund for the payment of damages assessed for property taken under said proceedings. On appeal under this section, the jury shall consist of six men, freeholders of the city and any finding or verdict in that court shall, unless set aside for good cause, be confirmed, and judgment entered thereon, that the city have and hold the property sought to be taken for the purposes specified in the ordinance providing for the improvement, and pay therefor the amount assessed against the city, and full compensation assessed therefor, and that the several lots and parcels of private property assessed to pay compensation by the verdict or finding stand charged and be bound, respectively, for the payment of assessments, with interest as provided in this chapter; and such judgment shall be enforced by special execution to collect assessments as aforesaid, without special tax-bills; and the court or judge may, by execution or otherwise, put the city in possession of the property taken, or any part thereof, the full compensation therefor being paid or tendered. Appeals shall be taken to the circuit court of Pettis county and the court shall tax and charge costs in appeals according to equity.

SEC. 66. As soon as practicable after the confirmation of any verdict by the council, the city clerk shall file a full record

in a book provided for that purpose, of such proceedings, which record shall contain correct copies of all ordinances constituting part of the proceedings, the notices to the parties to the proceedings, and returns thereon; all notices published and the proofs thereof, all orders by the mayor, the names of the jurors and when empaneled, and the verdict of the jury, and such other documents and matters as the ordinances of the city may require. The mayor shall examine such final record of such proceedings, and, if it be correct, sign the same; and thereafter such record, or copy thereof, certified by the city clerk, under his hand and seal of the city, shall be competent evidence in all courts of this state of facts stated therein. The original papers shall be carefully preserved by the city clerk. The city shall pay all costs of the proceedings to take private property except costs of the proceedings to collect assessments, which shall be taxed and paid as costs in ordinary cases. If the city fail to collect any assessments, in whole or in part, it may pay the amount so not collected, out of the city treasury. The compensation of officers for services rendered in pursuance of the foregoing sections shall be fixed by ordinance.



## CHAPTER 8.

## DOGS.

## SECTION

67. Three months old, to be registered and tax paid.
68. What tax to be paid and when, dog to wear collar and be registered, how.
69. Collar to be worn by registered dog.
70. To run at large between the 1st day of June and the 1st day of September without being muzzled unlawful.
71. To be taken up and impounded when, may kill when.
72. Dog impounded how reclaimed, how long to remain in pound.
73. Upon proof that the proper

## SECTION

- collar had been procured and the dog registered the owner may reclaim dog, how.
74. Bitch running at large and in heat to be killed or impounded when, fee to redeem from pound.
75. Meaning of words "year" and "dog" as used in this chapter.
76. What dogs liable to be taxed.
77. Misdemeanor to keep unregistered dog, or not to keep muzzled when required.
78. Provisions of this chapter not to apply to certain dogs, fee of marshal for killing.

SECTION 67. No dogs above the age of three months shall be permitted to remain in the City of Sedalia, unless such dog shall be registered; and the tax imposed on the same by ordinance shall be paid by the owner thereof.

SEC. 68. The tax on each male dog in the City of Sedalia shall be one dollar for each year, and for every bitch or female dog shall be three dollars per year, payable for the use of the city, to the city marshal, who shall procure metallic plates, having cast or raised thereon the letters C. T. P., and figures indicating the year for which the tax has been paid, and a number corresponding to the number of the registry on the book in which dogs shall be registered; and the city marshal shall register in a book to be kept by him for that purpose, the name of the owner of each dog registered, and a description of the dog so registered.

SEC. 69. It shall be the duty of every owner of a registered dog to keep, at all times, around the neck of such dog a

collar not less than three-fourths of an inch wide, to which shall be attached, by a metallic fastening, the circular metallic plate mentioned in the next preceding section of this chapter.

SEC. 70. It shall be unlawful for any person or persons living within the corporate limits of the City of Sedalia to permit any dog or dogs owned by them, or under their control, to run at large in the City of Sedalia between the first day of June and the first day of September of each year unless each dog shall be muzzled with a wire muzzle or other metallic muzzle.

SEC. 71. It shall be the duty of the city marshal and every policeman to take up and impound, in a suitable place, to be designated by the city marshal, the location of which, notice shall be given by a bill posted up in the rooms of the city police judge, all dogs above the age of three months found in the limits of the city without collars around their necks, marked as provided by the provisions of this chapter; and all dogs found running at large in the limits of the city between the first day of June and the first day of September of each year, and not muzzled as provided by section 70 of this chapter; *Provided*, that it shall be the duty of the city marshal and policemen to kill any dog that can not be conveniently and safely taken up and impounded.

SEC. 72. For every dog taken up and confined in the dog pound as provided in the preceding section, a redemption fee of one dollar, together with the annual tax of one dollar, shall be paid, for the use of the city, to the city marshal, whereupon the owner thereof shall have the right to reclaim such dog. Any dog which shall remain two days in the dog pound shall be killed by the city marshal, or by some person by him duly authorized.

SEC. 73. If it shall appear to the satisfaction of the city marshal that any person claiming to redeem a dog confined in the dog pound has registered such dog, and has put around the neck of such dog a collar marked and stamped and that he has properly muzzled such dog according to the provisions of this chapter, but that such collar or muzzle or both have been acci-

dentally lost, it shall be the duty of the city marshal to release such dog, and furnish the owner thereof another one of the metallic plates and collars mentioned in section 69, the owner paying the cost of such plate and collar.

SEC. 74. It shall be the duty of the city marshal and any policeman to kill every unregistered bitch that may be found running at large in the City of Sedalia while in heat, and to forthwith impound any bitch in heat which may have been registered, and keep her impounded three days, if she be not sooner redeemed; and if at the end of three days such bitch be not redeemed, she shall be killed in the manner provided in this chapter. The redemption fee for each bitch shall be five dollars, which shall be paid, for the use of the city, to the city marshal.

SEC. 75. The year for the purposes of this chapter shall begin on the second Monday of May in each year, and the word dog, whenever used in this chapter, shall be construed to mean a dog either male or female; and it shall be lawful for the city marshal or any policeman after the 10th day of June in any year, to kill any unregistered dog found running at large in the city limits.

SEC. 76. Dogs arriving at the age of three months, and dogs brought into the city after the second Monday in May in any year, shall be liable to tax; but the tax on any such dog shall be in the same ratio to the annual dog tax as the part of the year for which such tax shall be paid shall bear to the whole year.

SEC. 77. Every householder or head of a family, suffering or permitting an unregistered dog to remain on his premises; and every owner of an unregistered dog, and every person owning or controlling any dog found running at large within the city limits, between the first day of June and the first day of September of each year and not muzzled as in this chapter provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine not less than one nor more than ten dollars, and be moreover, ordered to im-

mediately cause such dog to be duly registered, and the tax imposed by this chapter paid therefor.

SEC. 78. Nothing in this chapter shall be held to apply to the dogs of movers, teamsters, or other persons who may be temporarily in the city. The city shall pay to the city marshal the sum of fifty cents for the killing of every dog and removal beyond the city limits the carcass thereof.

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## CHAPTER 9.

### DRAMSHOP LICENSE.

#### SECTION.

79. Keeper of, to have license; amount of license tax to be paid, and when.

80. Dramshop keeper, who is.

81. Marshal to make list of, and file with city clerk, when.

82. City clerk to issue license, when.

83. City collector to collect license and make report, how and when.

#### SECTION.

84. License for, not to exceed six months, not transferable, good for but one place of business, fair grounds during fair an exception.

85. Misdemeanor to do business without license, punishment for.

86. Misdemeanor for police officers to fail to enforce, or report violations, punishment for.

SEC. 79. Every person desirous of keeping a dramshop, or a beer or wine house, or garden, shall first obtain a license therefor, for which he shall pay a license tax of two hundred dollars for a period of six months, beginning on the fourth day January and July of each year. Should an application for a license be received during the period of the current six months, license may be issued for the unexpired portion of the term, and the amount to be charged therefor shall be to the amount for a whole term as the unexpired portion of the term is to the whole term.

SEC. 80. A dramshop keeper is a person permitted by law, being licensed according to the provisions of this chapter, to sell intoxicating liquors in any quantity less than ten gallons.

SEC. 81. It shall be the duty of the city marshal to find out the name or names of every person or persons, and their

place of doing business as dramshop keepers in this city, and make a list of the same, and hand such list, duly certified, to the city clerk, one week previous to the commencement of a current six months; and as often thereafter as new places may be opened, to report the same to the city clerk; and at the expiration of thirty days from the beginning of a current six months, he shall, by personal application and inspection, ascertain if all dram-shop keepers have procured a city license, and in case any one is found doing business without a license, he shall report the same to the mayor and city council.

SEC. 82. It shall be the duty of the city clerk, upon the receipt of such list from the city marshal, or upon the application of the party, to issue the license or licenses, and deliver the same to the city collector on or before the commencement of the term for which the same shall run.

SEC. 83. The city collector shall proceed at once to collect the licenses without delay, and, within thirty days from the time the licenses are placed in his hands, and at the expiration of thirty days he shall make a detailed report of the collections, and hand the same to the city clerk, together with a receipt from the treasurer for the deposit of the proceeds thereof; and any failure or refusal to pay the license by any person he shall promptly report to the mayor and city council.

SEC. 84. No license granted by any of the provisions of this chapter shall continue in force for any longer time than six months, nor shall any such license be transferable, nor shall any license authorize the holder thereof to carry on the business therein mentioned in said license at more than one place at the same time; *Provided*, however, that any dram-shop keeper, who has fully complied with the provisions of this chapter, may be permitted to carry on the business of a dram-shop keeper at the fair grounds, within the city limits, during the time the fair is being held.

SEC. 85. Any person attempting to do business in violation of the provisions of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a



fine of not less than ten nor more than fifty dollars, or by imprisonment in the city jail for a period of not less than three days, nor more than ten days, or by both such fine and imprisonment.

SEC. 86. It is hereby made the special duty of the city marshal, and all members of the police force, to see that the provisions of this chapter are duly enforced, and to report all violations of the same to the mayor and city council; and for every neglect of such duty by any officer, such officer shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than one nor more than twenty-five dollars.

## CHAPTER 10.

### ENGINEERING DEPARTMENT.

#### SECTION

- 87. City engineer, how appointed, qualifications and compensation.
- 88. Oath and bond of.
- 89. Duties of.
- 90. To preserve all maps, plans, etc., keep accurate accounts and perform other duties.

#### SECTION

- 91. Must give grades and lines of streets to all applicants free of charge.
- 92. Must make general reports from his department when required.

SEC. 87. There is hereby constituted and established the engineering department of the city government, and the office of city engineer. The city engineer shall be appointed at the same time and in the same manner as other appointive officers, and shall be a person well skilled in the sciences of civil engineering, and the practical application thereof who shall hold his office for the term of one year, or until his successor is appointed and qualified; and he shall receive, as compensation for his services, the sum of fifteen hundred dollars per year payable monthly at the rate of one hundred and twenty-five dollars per month.

SEC. 88. The city engineer shall, before entering upon the duties of his office, take the oath of office required of other

city officers, with this addition and to this effect: That he is not and will not, during his continuance in office, be directly or indirectly concerned or interested in any contract made with this city for any public work; and he shall enter into a bond to the city, in the sum of five hundred dollars, with two good and sufficient sureties, to be approved by the mayor, conditioned for the faithful discharge of the duties of his office.

SEC. 89. The city engineer shall perform all duties enjoined on him by the city council from time to time; he shall also make all plans and estimates for all work to be contracted for by the city, and shall have general supervision of the same; he shall certify the claims of all contractors for payment, and shall suspend the execution of any contract, when the contractor fails to comply with the terms of his contract, or with his directions in relation thereto and consistent therewith.

SEC. 90. It shall be the further duty of the city engineer to preserve in his office all maps, plans and surveys of the city, or any part thereof, with all records, books, papers, and all other things relating thereto; keep full and accurate accounts of all receipts and disbursements made under his supervision; cause to be carried into effect all ordinances concerning streets and alleys, and other public places, and superintend the opening, improvement and repairing thereof.

SEC. 91. It shall be the duty of the city engineer to give the grade, where the same has been established, and the line of streets and alleys, to all persons applying therefor, free of charge.

SEC. 92. The city engineer shall make a general report of all operations in his department, from time to time, to the city council, as they may require.

## CHAPTER II.

## FIRES AND FIRE COMPANIES.

ARTICLE I.—Fire limits and fire companies.

ARTICLE II.—Protection against fires.

## ARTICLE I.

## FIRE LIMITS AND FIRE COMPANIES.

## SECTION

93. Fire limits, what constitutes; buildings of certain materials to be erected within.
94. Erection or removal of buildings within fire limits of different materials; plans, etc., as required; to be abated and removed, how; penalty for.
95. Hay, straw, shavings, etc., not to be left in thickly settled places, etc.; duty of marshal in such cases.
96. Stove-pipes, flues, etc., must be put up and placed in what manner.
97. Inspection by marshal of modes of heating houses.
98. Chimneys and flues to be cleaned in May and November.
99. Ashes not to be deposited in wooden vessels, fire-crackers, fire-rockets, etc., not to be sold or used within city limits.
100. Misdemeanor to violate preceding sections, punishment for.
101. Fire department, to consist of what.
102. Chief engineer of, term of office, powers, bond, etc.
103. Foreman, must be one for each hose, hook and ladder company, powers of.
104. Foreman to be appointed and removed, how and by whom.
105. Members of fire companies, qualifications of.
106. Chief engineer, duties of.

## SECTION

107. Absence of chief engineer at fire, who to act.
108. Chief engineer to see that regulations are enforced, etc.
106. Fire alarm bells, how and where established; duty of police in reference thereto, and punishment for failure to perform.
110. Chief to keep record of members, property, etc., of fire department.
111. Duty of the foreman of each company, chief may appoint in case of absence.
112. Duty of members of fire department.
113. Members not allowed to form any but benevolent associations, not to electioneer with tickets, keep or drink intoxicants, etc.
114. Parties other than members not to loiter about engine houses; religious belief no grounds for dismissal of member.
115. Duties of foremen at fires, and conduct in going to and from fires.
516. Misdemeanor for any one to drive, run over, etc., any hose in use at fire, etc., punishment for.
117. Failure of officer or member of fire company to pay debt, effect of.
118. Compensation of officers and members of.

SECTION 93. The following are established as fire limits in the City of Sedalia within which it shall be unlawful to erect or remove any building the outer walls of which, are in whole, or part constructed of any material other than brick, stone, or other incombustible materials, or the roof of which shall be otherwise than fire-proof, viz: Beginning at the intersection of Moniteau and Pacific streets, thence east along Pacific street to Lamine avenue; thence south to Missouri Pacific railway tracks; thence east to Washington avenue; thence south to alley in block eight—about midway between Third and Fourth streets; thence west along said alley to Massachusetts avenue; thence south to Fifth street; thence west to Lamine avenue; thence south to Broadway or Eighth street; thence west to Kentucky avenue; thence north to alley in block forty-three between Third and Second streets,; thence west to Monitcau avenue; thence north to the place of beginning: *Provided*, barns, sheds, stables and other buildings, except smoke-houses and buildings used for residences, may be constructed and erected within the fire limits herein established, upon conditions that the person so desiring to erect such buildings shall first obtain the written consent to do so from every person owning or leasing property in the block in which such building is designed to be erected and shall also first obtain the consent of the city council to erect such building; *Provided, however*, that no such buildings shall be erected except in cases to rebuild or replace an old building by a better or new building.

SEC. 94. The city council upon being informed that any person has commenced or put up, or removed into the fire limits, as established by this article, any building in violation of the provisions herein, shall cause such buildings to be removed and abated, and it shall be the duty of the city marshal, when ordered by the council, so to do, to raze, remove and abate such buildings so commenced, put up, or removed within the fire limits, and collect from the person owning or erecting the same, the expenses thereof, and shall in addition to the liability of paying the expenses of such removing and razing of such building, be deemed guilty of a misdemeanor, and upon convic-

tion thereof, be punished by a fine of not less than one nor more than one hundred dollars, or be imprisoned in the city jail not more than three months, or by both such fine and imprisonment. And every day that such building shall remain so, in violation of the provisions of this article, shall constitute a distinct and separate offense.

SEC. 95. No person shall leave, in a thickly settled part of the city, or in close proximity to fire, any hay, straw, or shavings or other like matter whatever, of a tendency to receive and communicate fire; and if at any time any such materials are found in such location, or in such quantity as to increase the danger of fire, in the opinion of the city marshal, he shall notify the person on whose premises the same are found to immediately remove them, if such person can be found, and if not, or if the person on whose premises the same are found fails or refuses to remove such materials, or any of them, found thereon, the city marshal shall immediately remove them, or see that it is done.

SEC. 96. No person owning or occupying a house in the city of Sedalia, shall permit a stove-pipe to run through any window, wall, partition or roof, unless the same enter stone, brick or double pipe flues, or ventilating flues, nor nearer than four inches to any wood; all stove-pipes shall, where they pass through shed roofs, or roofs of houses where the roof is so constructed as to not permit of such flues or chimneys as are herein required, be at least five inches from the wood, and secured firmly by a strong piece of sheet iron; and any person using stoves within the city shall not permit them to approximate nearer than ten inches from any wood, either in the floor or wall of the house in which they are used, and shall in all cases have brick, stone, zinc or sheet iron between the stove and wooden floor or wall on or by which such stove may be situated.

SEC. 97. It shall be the duty of the city marshal, assisted by one or more policemen, if occasion requires, to proceed throughout the city of Sedalia, in the months of May and November in each year to inspect every house, keeping a record



of the manner of warming said houses, also a list of all such houses in which the provisions of this article have not been complied with, and make a complete report to the city clerk by the thirtieth of said months in each year. At the time of such inspection the city marshal shall collect the sum of fifty cents, from every person owning or occupying a house in which the provisions of this article have not been complied with, which he shall pay into the city treasury.

SEC. 98. All chimneys and flues used in the city of Sedalia shall be cleaned of soot and ashes during the months of May and November in each and every year, and it shall be the duty of the city marshal to inspect the same at the time he inspects stoves and stove-pipes.

SEC. 99. No person owning or occupying a house in the city, shall permit any ashes to be deposited upon or in any wooden vessels nearer than ten feet from any house or fence; and no person shall sell, or offer for sale, for use within the limits of the city, any fire-crackers, sky-rockets, roman-candles, or other combustible material commonly used on gala days, and no person shall use any of said materials within the city limits by firing off or discharging the same.

SEC. 100. Any person who shall violate any of the provisions of this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine not less than one dollar nor more than one hundred dollars.

SEC. 101. The fire department of the city of Sedalia, shall consist of one chief engineer, one foreman for each regularly organized steam engine, hose or hook and ladder company, and for each steam fire engine company, not exceeding five men and for each hose and hook and ladder company, not exceeding five men.

SEC. 102. The chief engineer of the fire department, shall hold his office until removed for cause for which he may be removed as other appointed officers of the city. He shall have ex-officio powers, of the chief of the police of the city, at all fires, and shall give bond to the city of Sedalia, in the sum

of two thousand dollars. In case of a vacancy in said office, it shall be filled by appointment, as provided for, by the charter of the city of Sedalia.

SEC. 103. There shall be a foreman for each regularly organized steam engine, hose or hook and ladder company, who shall have command of the men, and apparatus belonging to the company, and take charge of the apparatus at fires, and cause to be executed all orders of the chief engineer, or the officer who may exercise the duties of the chief engineer, and the chief engineer shall act as foreman of company No. 2.

SEC. 104. The foreman and other members of the fire department shall be appointed by the chief engineer, by and with the advice and consent of the mayor, and fire department committee. They or any of them may be removed by the chief engineer for neglect of duty, or for any good and sufficient cause.

SEC. 105. No person under twenty-one years of age shall be employed as a member of the fire department of the City of Sedalia, nor shall any person be employed who is not a citizen of the United States, and a legal voter in said city.

SEC. 106. The chief engineer shall be responsible for the discipline, good order, and proper conduct of the whole fire department, and for the care of the houses, engines, hose carriages, and all the property belonging to the fire department. He shall have superintendency, control and command of all the officers and men belonging to the fire department, and all the engine and other houses for the purposes of the fire department, and all the engines and all other apparatus belonging to the city, and all persons present at fires. He shall wear a proper badge of his office, and when a fire breaks out in the city, he shall take proper measures for the arrangement of the engines and other fire apparatus in the most advantageous position, and work for the effective extinguishment of the fire, and shall have power to call for assistance, if need be, from any or all persons present at fires, as well as members of the fire department, to assist in extinguishing the fire or removing goods and other merchan-

disse from any building on fire, or in danger thereof, and to appoint guards to insure the safety of the same, and also in pulling down, and demolishing any house or building, if necessity requires, and further, to suppress all disorders. It shall also be his duty to cause order to be preserved on going to, working at or returning from fires, and at all other times, when the men of the department are on duty.

SEC. 107. In case of the absence of the chief engineer, at any fire that may occur in the city, the foreman of any company first at the fire shall exercise the duties of the chief engineer, with all the power of such chief for the time being.

SEC. 108. It shall be the duty of the chief engineer to see that the laws, ordinances and regulations that pertain to the fire department are observed by all persons connected therewith; to examine into the condition of all houses and apparatus belonging to the city, and used for the purpose of the fire department, and see that they are kept in good condition.

SEC. 109. The chief engineer and committee on the fire department shall provide as many fire alarm bells as they may deem necessary, and the chief engineer shall designate in what manner they shall be rung. He shall cause every member of the fire department to be well instructed as to the meaning and object of the fire alarm bells. It shall be the duty of the members of the police department, immediately upon the discovery or upon authentic information of the fire, to cause the nearest fire alarm bell to be rung, if in their power to do so, and it shall be the duty of the night police, upon the alarm of fire, to give further notice thereof by crying "fire!" and if any policeman shall violate any of the provisions of this section, so far as his duties are concerned, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be discharged from service in the police department.

SEC. 110. The chief engineer shall, in suitable books, keep or cause to be kept a record of the names, ages and residences of all the members of the fire department, the time of their admission and discharge, and an inventory or record of all

the property belonging to the fire department, and every particular connected with each fire that may occur, stating what property was destroyed, giving its description, the name of its owner, and occupant, where located, and its value, amount of loss and insurance, and if possible, the cause of the fire. He shall keep a record of the false alarms, and the expense connected with the department, keeping the expense of each company separate, and such facts and information as he may deem of value, to be preserved, and shall annually at the close of each fiscal year, report to the council the summary of the record preserved during the preceding year, and such other information as he may deem proper, which report the council may direct to be published.

SEC. 111. It shall be the duty of the foreman of each company to see that the engine and fire apparatus and property committed to his care, and the several buildings in which the same are deposited, and all things in or belonging to the same, are kept neat and clean, and in perfect order for immediate use. It shall also be his duty to preserve order and discipline at all times, in his respective company, and require and restrict close observance and compliance of the ordinances and rules and regulations of the department. It shall further be the duty of the foreman to keep such books and records, as the chief engineer may require, and to furnish such information as he may have, to the chief engineer to enable him to keep the record required by ordinance. Any foreman who shall refuse or neglect to obey the orders of the chief engineer shall be discharged from the service. In the absence of the foreman of any company the chief engineer shall appoint some member to fill his place, during his absence, with full power to act and perform all the duties of such absent foreman.

SEC. 112. The members of the fire department shall perform such duties as may be imposed upon them by the chief engineer or the foreman of their company, and shall wear such uniform, caps, badges, etc., as the chief engineer and committee may direct.

SEC. 113. No association or organized society, or club of firemen as such, shall be allowed except benevolent associations; nor shall any member of the fire department take any part in any election by peddling tickets or electioneering in any manner; no spirituous or malt liquors shall be kept or drunk in any engine or other house used by the fire department. Any member found intoxicated or drunk, may be discharged.

SEC. 114. Persons not members of the fire department, are not permitted to frequent, meet or loiter around the engine houses used by the fire department. Men on duty at such houses, who may allow the same, shall be subject to dismissal. No officer or member shall be discharged from the fire department on account of his religious or political principles.

SEC. 115. The foreman of each company shall be with his pipe when at fires, and shall see that his line of hose is well guarded and in no instance shall members allow any person except members of the fire department to ride on the apparatus either going to or from a fire. Racing to or from fires is not allowed under any circumstances, under penalty of dismissal; and if the apparatus of more than one company proceed on the same street, to or from a fire, they shall go in single file.

SEC. 116. Whenever any hose used in the fire department are laid upon any street, alley, or any vacant lot for the purpose of being used by the fire department, it shall not be lawful for any wagon, carriage, street railway car, locomotive or railroad car, or any other vehicle, to pass over the same, and the owner, owners or drivers of any wagon, carriage, street railway car, locomotive or railroad car or any other vehicle, who shall drive or run or cause such vehicle or vehicles to be driven or run over such hose, shall be deemed guilty of a misdemeanor and upon conviction thereof, be fined not less than five nor more than fifty dollars.

SEC. 117. Any officer or member of the fire department neglecting or refusing to pay a just debt contracted during his connection with the department shall be discharged from the service.



SEC. 118. As compensation for services rendered by the officers and employes in the city fire department, they shall hereafter be paid as follows:

Chief Engineer per month, seventy-five dollars.

Foreman per month, seventy dollars.

Drivers per month, fifty dollars.

Hosemen per month, fifty dollars.

## ARTICLE II.

### PROTECTION AGAINST FIRES.

#### SECTION

119. To erect sheds, wooden buildings, etc., must have permit, duty of city engineer in regard to same.
120. Permits. how and by whom issued; building to be removed at expense of owner, when.
121. Misdemeanor to erect building not in compliance with the provisions of this article, punishment for.
122. Pitch, tar and inflammable substances must be boiled, where and how.
123. Shavings, grass, etc., not to be burned in any street or alley, or near building.
124. Lighted torch, candle, etc., around and in stables to be enclosed in lantern.
125. Hay, straw, etc., must be enclosed to protect from flying sparks.
126. Burning coal or brand not to be carried in street, without being enclosed.
127. Gas, in any building not to be turned on without being lighted.

#### SECTION

128. Fire arms not to be discharged, except by whom, and where.
129. Rockets and pyrotechnics not to be discharged except by written consent of mayor.
130. Squibs, crackers and other fireworks not to be discharged.
131. Platform of brick, zinc or sheet-iron must be placed beneath stove, etc.
132. Stoves must not be within eight inches of wall, unless protected.
133. Stove-pipes, to be put up how and by whom designated, misdemeanor to fail to put up pipe in manner prescribed.
134. Smoke stacks and chimneys, to be erected how.
135. Flues and chimneys to be burned out, how and when.
136. Misdemeanor to violate any of provisions of this article, punishment for, when not otherwise provided for.

SECTION 119. Whenever any person or persons, corporation or corporations, are desirous of erecting any structures as are included in the term "shed," "wooden building," "frame

building," iron-clad building," and the like, they shall petition the city council, setting forth the proposed location, the estimated or actual cost and the contract time for completion, together with the plans, and specifications and general drawings of the structure. The city engineer shall rigidly inquire into the propriety of granting such permit, and in no case shall such permit be granted except upon a petition of three-fourths majority of the owners of property in the block in which the building is proposed to be erected, asking for its erection. In all cases where there is any doubt in the mind of the city engineer as to the propriety of issuing any such permit, he shall present such application to the city council with such recommendation as he shall deem proper. In cases where no permanent foundation for a substantial building exists, and in the opinion of the city council an iron-clad or wooden building will not prove hazardous to the surrounding property, a permit may be granted for the erection of the same by the engineer upon an order of record to that effect made by the city council.

SEC. 120. All permits authorized as herein provided, shall be issued by the city engineer, and shall contain a provision that whenever, in the opinion of the city council, the building becomes dangerous to surrounding property, it shall be removed at the expense of the owner, within thirty days after notice in writing has been given by the city council, such notice to be countersigned by the mayor.

SEC. 121. The city engineer may issue permits for the erection of wooden and other buildings in the manner authorized by the provisions of this article, and any person who shall erect any building in violation of the provisions herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than one hundred dollars.

SEC. 122. No person shall in this city boil any pitch, tar, rosin, turpentine, varnish or other inflammable substance, unless the same be done in an open place and at least twenty feet from any building that might be injured thereby, or in a fire-

proof building; *Provided, however*, that for roofing or roof repairing, the materials necessary therefor may be boiled in the roadway immediately adjoining the curbstone.

SEC. 123. No person shall burn any shavings, dry grass, paper, paper-boxes, straw or other combustible matter, in any street, alley or other thoroughfare or public place, or near any inhabited place in this city.

SEC. 124. No owner or occupant of a livery stable, or other stables in this city, shall by himself or those in his employ, use therein or in any place containing hay, straw or other combustible matter, any lighted candle, torch or other light, except the same be securely kept within a tin, horn or glass lantern.

SEC. 125. No person shall, except upon farm land, where the same can be put at a reasonably safe distance from buildings and other improvements, have, put or keep any hay or straw, in stack or pile, without having the same inclosed or secured, so as to protect it from flying sparks of fire.

SEC. 126. No person shall in this city carry, or cause to be carried in any street or thoroughfare, any burning coal or brand unless the same be shut up in a covered vessel.

SEC. 127. No person shall in any building in this city, of whatever name, nature or description it may be, turn on the gas, or cause or suffer the same to be turned on, or escape from gas pipe in such building, unless such gas be lighted at once, and kept burning until properly turned off.

SEC. 128. No person not being a member of the police force, sheriff or his deputy, constable or his deputy, or on duty in a military corps, and acting under orders from the commander thereof, or not being a manufacturer of fire arms, and trying or proving articles manufactured by him, so as not to endanger or injure persons or property in the neighborhood, shall discharge any kind of fire arms in this city, and then only by permission from the mayor.

SEC. 129. No person shall, in this city, discharge or set off any rockets, or other pyrotechnic exhibition, without the

written consent of the mayor, specifying the time and place, when and where the same may be done.

SEC. 130. No person shall, in this city, fire or set off any squib, cracker or other fire-works not previously designated.

SEC. 131. Any person setting up any stove or furnace on a wooden floor in any building in this city shall place beneath the lower plate fronting the fire door of such stove or furnace a platform of brick, or zinc, or sheet-iron, or other non-combustible material, which shall extend at least six inches beyond such lower plate in every direction.

SEC. 132. No person shall set up or use a stove the top of or any side of which shall be within eighteen inches of any part of the wood work of the wall or partition of any building, without protecting such wood work with a metallic covering, so as effectually to prevent the same from taking fire from such stove.

SEC. 133. In all cases where a stove-pipe projects or passes through the roof or wood work of a building, the pipe shall be separated from such roof or wood work at least six inches, by sheet-iron or other incombustible material, and shall project above or beyond the roof to the height designated by the city engineer, or committee on public buildings, or other officer hereafter authorized by ordinance to take charge of such matters, which height shall in no case be less than three feet, and any person or persons failing or refusing to comply with the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one dollar and not more than one hundred dollars.

SEC. 134. No smoke-stack or chimney used in connection with any manufacturing or other establishment, wherein steam power or other power is used, shall hereafter be erected of less height than twenty-five feet above the buildings situated within a radius of three hundred feet, unless with the written consent of the owner or owners of such buildings.

SEC. 135. The owner or occupant of any house, shop or other building in this city, shall cause the flues or chimneys thereof to be swept or burned out as often as requisite to keep the same clean. In cases of burning out a flue it shall be done in the day time, and only when a rain is falling or when the roof of the building is covered with snow. If any person shall cause the flues or chimneys of any house occupied by him to be fired at any other time than herein expressed, he shall be liable to the penalties hereinafter prescribed.

SEC. 136. Any person violating any of the foregoing provisions contained in this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall, where the punishment is not hereinbefore specified, be fined not less than one dollar nor more than one hundred dollars.



## CHAPTER 12.

## GRADES OF STREETS.

## SECTION

- 137. Clay street, between Washington avenue and Missouri avenue.
- 138. Henry street, between Washington avenue and Park avenue.
- 139. Johnson street, between Washington avenue and Park avenue.
- 140. Morgan street, between Washington avenue and Park avenue.
- 141. Cooper street, between Washington avenue and Park avenue.
- 142. Pettis street, between Mill street and Park avenue.
- 143. Jefferson street, between Washington avenue and Missouri avenue.
- 144. St. Louis street, between Mill street and Lamine avenue.
- 145. Pacific street, between Lamine avenue and Moniteau avenue.
- 146. Benton street, between Moniteau avenue and Missouri avenue.
- 147. Tower avenue, between Heard avenue and Engineer street.
- 148. Jackson street, between Heard avenue and Engineer street.
- 149. Walnut street, between Heard avenue and Engineer street.
- 150. Chestnut street, between Heard avenue and Engineer street.
- 151. Boonville street, between Heard avenue and Brown street.
- 152. Saline street, between Heard avenue and Brown street.
- 153. Howard street, between Heard avenue and Brown street.
- 154. Harvey street, between Heard avenue and New York avenue.

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- 155. Main street, between Mill street and western city limits.
- 156. Second street, between Mill street and Park avenue.
- 157. Wilkerson street, between Moniteau avenue and Park avenue.
- 158. Third street between New York avenue and Barrett avenue.
- 159. Linn street, between Heard avenue and Emmet avenue.
- 160. Fourth street, between a point 270 feet east of the east line of Emmet avenue and Barrett avenue.
- 161. Fifth street, between a point 270 feet east of the east line of Emmet avenue and Barrett avenue.
- 162. Sixth street, between lots 16 and 15 and 7 and 8, McVeys addition, between New York avenue and Center street.
- 163. Sixth street, between lots 14 and 13 and 9 and 10, McVey's addition, between New York avenue and Center street.
- 164. Sixth street, between Center street and Carr avenue.
- 165. Seventh street, between New York avenue and Park avenue.
- 166. Broadway street, between eastern city limits and Thompson avenue.
- 167. Ninth street, between New York avenue and Thompson avenue.
- 168. Tenth street, between New York and Thompson avenues.
- 169. Eleventh street, between New York avenue and Thompson avenue.
- 170. Twelfth street, between New

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- York avenue and Washington avenue.
171. Thirteenth street, between Wagner street and Grand avenue.
  172. Fourteenth street, between Engineer street and Grand avenue.
  173. Fifteenth street, between Engineer street and Grand avenue.
  174. Magnolia avenue, between Moniteau avenue and Grand avenue.
  175. Sixteenth street, between the eastern and western city limits.
  176. Seventeenth street, between Engineer street and Grand avenue.
  177. Eighteenth street, between Engineer street and Grand avenue.
  178. Nineteenth street, between Engineer street and Moniteau avenue.
  179. Twentieth street, between Engineer street and Grand avenue.
  180. Twenty-third street, between Missouri avenue and Grand avenue.
  181. Twenty-fourth street, between Engineer street and Grand avenue.
  182. Barrett avenue, between Third and Fifth streets.
  183. Thompson avenue, between Third and Twelfth streets.
  184. Carr avenue, between Third and Twelfth streets.
  185. Sneed avenue, between Third and Twelfth streets.
  186. Park avenue, between Henry and Twelfth streets.
  187. Stewart avenue, between Henry and Twelfth streets.
  188. Quincy avenue, between Henry and Twelfth streets.
  189. Prospect street, between Henry and Twelfth streets.
  190. Grand avenue, between Henry and Twenty-eighth streets.
  191. Harrison avenue, between Main and Eighteenth streets.
  192. Missouri avenue, between Clay and Twenty-fourth streets.

## SECTION

193. Vermont street, between the Missouri Pacific right-of-way and Eighteenth street.
194. Moniteau avenue, between Clay and Twentieth streets.
195. Kentucky avenue, between Pacific and Twenty-eighth streets.
196. Osage avenue, between Clay and Twentieth streets.
197. Ohio avenue, between Clay and Twenty-eighth streets.
198. Lamine avenue, between Clay and Twenty-eighth streets.
199. Massachusetts avenue, between Main and Thirteenth streets.
200. Washington avenue, between Clay and Twenty-eighth streets.
201. Lafayette avenue, between Third and Seventeenth streets.
202. Mill street, between Pettis and Third streets.
203. Ingram avenue, between Broadway and Twenty-eighth streets.
204. Thompson street, between Third and Nineteenth streets.
205. Street running north and south between Thompson and Hancock avenues, and Thirteenth and Nineteenth streets.
206. Hancock avenue, between Third and Nineteenth streets.
207. Marvin street, between Third and Twentieth streets.
208. Montgomery street, between Third and Twentieth streets.
209. Brown street, between Third and Twentieth streets.
210. Summit street, between Third and Twentieth streets.
211. Engineer street, between Tower avenue and twenty-fourth street.
212. Wagner street, between Third and Fourteenth streets.
213. Hurley street, between Saline and Howard streets.
214. Hill street, between Tower avenue and Howard street.
215. Center street, between Third and Twelfth streets.
216. Randolph street, between Saline and Howard streets.
217. Porter street, between a point 106½ feet north of the north

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line of Seventh street and Twelfth street.	feet south of the south line of Fifth street.
218. New York avenue, between Tower avenue and Twenty-fourth street.	221. Eastern avenue, between Jackson and Walnut streets.
219. Western avenue, between Tower avenue and Walnut street.	222. Depp avenue, between Tower avenue and Linn street.
220. Emmet street, between Tower avenue and a point 120 feet	223. Heard avenue, between Tower avenue and Linn street.

SEC. 137. The grade of Clay street, between Washington avenue and Missouri avenue, shall be as follows, to-wit: Commencing at the east curb line of Washington avenue, grade elevation 80.7 feet; thence west on a plane to the west curb line of Washington avenue, grade elevation 80 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 60.2 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 59.8 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 58 feet; thence level to the west curb line of Ohio avenue; thence west on a plane to the east curb line of Osage avenue, grade elevation 55.8 feet; thence level to the west curb line of Osage avenue; thence west on a plane 290 feet to a point, grade elevation 53 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 57.4 feet; thence west on a plane to the west curb line of Moniteau avenue, grade elevation 57.6 feet; thence west on a plane to the east curb line of Missouri avenue, grade elevation 50 feet; thence level to the west curb line of Missouri avenue.

SEC. 138. That the grade of Henry street, between Washington avenue and Park avenue, shall be as follows, to-wit: Commencing at the east curb line of Washington avenue, grade elevation 66.7 feet, thence west on a plane to the west curb line of Washington avenue, grade elevation 66.3 feet; thence west on a plane 300 feet to a point, grade elevation 64.5 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 67.2 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 67.4 feet; thence west level 137 feet, thence west on a plane to the east

curb line of Ohio avenue, grade elevation 64.4 feet; thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 70.6 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 71 feet; thence west 187 feet to a point, grade elevation 76.6 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 78.7 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 60.9 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 70.5 feet, and also commencing at the east line of Henry street as laid out in Ritchey's first addition to the City of Sedalia, grade elevation 44 feet; thence west on a plane to the east curb line of Grand avenue, grade elevation 52.6 feet; thence level to the west curb line of Grand avenue, thence west on a plane 146 feet to a point, grade elevation 55.5 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 42 feet; thence west on a plane to the west curb line of Quincy avenue, grade elevation 41.6 feet; thence west on a plane 137 feet to a point, grade elevation 40 feet; thence west on a plane to the east curb line of Stewart avenue, grade elevation 43 feet; thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 55 feet; thence level to the west curb line of Park avenue.

SEC. 139. That the grade of Johnson street between Washington avenue and Park avenue shall be as follows, to-wit: Commencing at the east curb line of Washington avenue, grade elevation 73.75 feet; thence level to the west curb line of Washington avenue, thence west on a plane 255 feet to a point, grade elevation 83 feet; thence west level 150 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 78.3 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 77.7 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 71.2

feet; thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 80.6 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 80.9 feet; thence west on a plane 415 feet to a point, grade elevation 94.25 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 81.0 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 80.4 feet; and also commencing on the east line of Johnson street as laid out in Ritchey's first addition to the city of Sedalia, grade elevation 50.5 feet; thence level 135 feet; thence west on a plane to the east curb line of Grand avenue, grade elevation 56.40 feet; thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 58.5 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 51.00 feet; thence level to the west curb line of Quincy avenue, thence west on a plane to the east curb line of Stewart avenue, grade elevation 50.00 feet; thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 55.7 feet; thence west on a plane to the west curb line of Park avenue, grade elevation 56.3 feet.

SEC. 140. That the grade of Morgan street between Washington avenue and Park avenue shall be as follows, to-wit: Commencing at the east curb line of Washington avenue, grade elevation 81.7 feet; thence level to the west curb line of Washington avenue, thence west on a plane 295 feet to a point, grade elevation 91.00 feet; thence west level 100 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 85.6 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 85.00 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 78.00 feet; thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue,



grade elevation 84.7 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 85.3 feet; thence west on a plane 285 feet to a point, grade elevation 94.5 feet; thence west on a plain to the east curb line of Moniteau avenue, grade elevation 100 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 81 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 80.4 feet; and also commencing at the east line of Morgan street as laid out in Ritchey's addition, grade elevation 57 feet; thence west level 130 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 61.75 feet; thence level to the west curb line of Grand avenue, thence west on a plane 135 feet to a point, grade elevation 66 feet; thence west on a plane to the east curb line of Prospect avenue, grade elevation 67 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 65 feet; thence level to the west curb line of Quincy avenue, thence west on a plane to the east curb line of Stewart avenue, grade elevation 61.5 feet; thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 60 feet; thence level to the west curb line of Park avenue.

SEC 141. That the grade of Cooper street between Washington avenue and Park avenue shall be as follows, to-wit: Commencing at the east curb line of Washington avenue, grade elevation 94.8 feet; thence level to the west curb line of Washington avenue, thence west on a plane 305 feet to a point, grade elevation 97 feet; thence west level 150 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 95.4 feet; thence west on a plane to the west Lamine avenue, grade elevation 95.1 feet: thence west on a plane to the east curb line of Ohio avenue, grade elevation 89 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 88.6 feet; thence west on a plane to the east curb line of Osage avenue, grade elevation 86.4 feet; thence

level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 90.5 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 87.4 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 87 feet; thence west on a plane 320 feet to a point, grade elevation 77 feet; thence west on a plane 40 feet to a point, grade elevation 76.4 feet; thence west on a plane 350 feet to a point, grade elevation 61.5 feet; thence west 300 feet level, thence west on a plane to the east curb line of Grand avenue, grade elevation 67 feet; thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 78 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 76 feet; thence level to the west curb line of Quincy avenue, thence west on a plane to the east curb line of Stewart avenue, grade elevation 72 feet; thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 68 feet; thence level to the west curb line of Park avenue,

SEC. 142. That the grade of Pettis street, between Mill street and Park avenue, shall be as follows, to-wit: Commencing at the east curb line of Mill street, grade elevation 100 feet; thence west on a plane to the west curb line of Mill street, grade elevation 100.5 feet; thence west on a plane to the east curb line of Washington avenue, grade elevation 107.25 feet; thence level to the west curb line of Washington avenue, thence west on a plane 305 feet to a point, grade elevation 108 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 107.25 feet; thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 101.4 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 101.1 feet; thence west on a plane to the east curb line of Osage avenue, grade elevation 98.4 feet; thence west on a plane to

the west curb line of Osage avenue, grade elevation 98.2 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 95.2 feet; thence west on a plane to the west curb line of Moniteau avenue, grade elevation 94.8 feet; thence west on a plane to the east curb line of Missouri avenue, grade elevation 83.7 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 83.1 feet; thence west on a plane 320 feet to a point, grade elevation 72 feet; thence west on a plane 40 feet to a point, grade elevation 71.4 feet; thence west on a plane 280 feet to a point, grade elevation 66 feet; thence west level 280 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 71.8 feet; thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 83 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 81.5 feet; thence level to the west curb line of Quincy avenue, thence west on a plane to the east curb line of Stewart avenue, grade elevation 77 feet; thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 71 feet; thence level to the west curb line of Park avenue.

SEC. 143. That the grade of Jefferson street, between Washington avenue and Missouri avenue, shall be as follows, to-wit; Commencing at the east curb line of Washington avenue, grade elevation 112.6 feet; thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 110.1 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 109.6 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 104.7 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 104.1 feet; thence west on a plane to the east curb line of Osage avenue, grade elevation 99.8 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 99.2 feet; thence west on a plane to the east curb line of Moniteau

avenue, grade elevation 89.40 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 79.8 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 79.4.

SEC. 144. That the grade of St. Louis street, between Mill street and Lamine avenue, shall be as follows, to-wit: Commencing at the east curb line of Mill street, grade elevation 102.2 feet; thence west on a plane to the west curb line of Mill street, grade elevation 102.6 feet; thence west on a plane to the east curb line of Washington avenue, grade elevation 111.5 feet; thence west on a plane to the west curb line of Washington avenue, grade elevation 111.8 feet; thence west on a plane 150 feet to a point, grade elevation 113.6 feet; thence west on a plane 40 feet, grade elevation 113.2 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 107.7 feet.

SEC. 145. That the grade of Pacific street, between Lamine avenue and Moniteau avenue, shall be as follows, to-wit: Commencing at the west curb line of Lamine avenue, grade elevation 106.1 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 101.6 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 101.2 feet; thence west on a plane to the east curb line of Osage avenue, grade elevation 96.6 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 96 feet; thence west on a plane to the east curb line of Kentucky avenue, grade elevation 91.3 feet; thence west on a plane to the west curb line of Kentucky avenue, grade elevation 90.7 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 87.75 feet.

SEC. 146. That the grade of Benton street, between Moniteau avenue and Missouri avenue, shall be as follows, to-wit: Commencing at the west curb line of Moniteau avenue, grade elevation 87 feet; thence west on a plane to the east curb line of Missouri avenue, grade elevation 79 feet; thence west on

a plane to the west curb line of Missouri avenue, grade elevation 78.5 feet.

SEC. 147. That the grade of Tower avenue, between Heard avenue and Engineer street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 118 feet; thence level to the west curb line of Heard avenue, thence west on a plane to the east curb line of Depp avenue, grade elevation 119.9 feet; thence west on a plane to the west curb line of Depp avenue, grade elevation 120.1 feet; thence west on a plane to the east curb line of Emmet avenue, grade elevation 128 feet; thence west on a plane to the west curb line of Emmet avenue, grade elevation 128.4 feet; thence west on a plane to the east line of Western avenue, grade elevation 129.5 feet; thence level to the west line of Western avenue, thence west on a plane to the east curb line of New York avenue, grade elevation 128 feet; thence level to the west curb line of New York avenue, thence west level 160 feet, thence west on a plane to the east curb line of Hill street, grade elevation 118.3 feet; thence west on a plane to the west curb line of Hill street, grade elevation 117.7 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 111.5 feet; thence level to the west curb line of Engineer street.

SEC. 148. That the grade of Jackson street, between Heard avenue and Engineer street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 120 feet; thence level to the west curb line of Heard avenue, thence west on a plane to the east curb line of Depp avenue, grade elevation 123.2 feet; thence west on a plane to the west curb line of Depp avenue, grade elevation 123.8 feet; thence west on a plane to the east curb line of Emmet avenue, grade elevation 129 feet; thence level to the west curb line of Emmet avenue, thence west on a plane to the east line of Western avenue, grade elevation 127 feet; thence west on a plane to the west line of Western avenue, grade elevation 126.6 feet; thence west on a plane to the east curb line of New York avenue, grade elevation 122.4 feet; thence west on a plane to the



west curb line of New York avenue, grade elevation 122 feet; thence west on a plane 160 feet to a point, grade elevation 121 feet; thence west level 320 feet thence west on a plane to the east curb line of Hill street, grade elevation 115.3 feet; thence west on a plane to the west curb line of Hill street, grade elevation 114.70 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 103.3 feet; thence level to the west curb line of Engineer street.

SEC. 149. That the grade of Walnut street, between Heard avenue and Engineer street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 121.5 feet; thence level to the west curb line of Heard avenue, thence west on a plane to the east curb line of Depp avenue, grade elevation 120.5 feet; thence level to the west curb line of Depp avenue, thence west on a plane to the east curb line of Emmet avenue, grade elevation 124.8 feet; thence level to the west curb line of Emmett avenue, thence west on a plane to the east curb line of Western avenue, grade elevation 124 feet; thence west on a plane to the west line of Western avenue, grade elevation 123.6 feet; thence west on a plane to the east curb line of New York avenue, grade elevation 120.1 feet; thence west on a plane to the west curb line of New York avenue, grade elevation 119.7 feet; thence west on a plane 165 feet to a point, grade elevation 116 feet; thence west on a plane 315 feet to a point, grade elevation 113 feet; thence west on a plane to the east curb line of Hill street, grade elevation 114.7 feet; thence level to the west curb line of Hill street, thence west on a plane 265 feet to a point, grade elevation 110 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 100 feet; thence level to the west curb line of Engineer street.

SEC. 150. That the grade of Chestnut street between Heard avenue and Engineer street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 118.2 feet; thence level to the west curb line of Heard avenue, thence west on a plane to the east curb line of Depp

avenue, grade elevation 116 feet; thence level to the west curb line of Depp avenue, thence west on a plane to the east curb line of Emmet avenue, grade elevation 120.5 feet; thence level to the west curb line of Emmet avenue, thence west on a plane to the east curb line of New York avenue, grade elevation 117.8 feet; thence west on a plane to the west curb line of New York avenue, grade elevation 117.4 feet; thence west on a plane 480 feet to a point, grade elevation 107 feet; thence west on a plane to the east curb line of Hill street, grade elevation 105.1 feet; thence west on a plane to the west curb line of Hill street, grade elevation 104.9 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 96.7 feet; thence level to the west curb line of Engineer street.

SEC. 151. The grade of Boonville street, between Heard avenue and Brown street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 112.1 feet, thence west on a plane to the west curb line of Heard avenue, grade elevation 111.9 feet; thence west on a plane to the east curb line of Depp avenue, grade elevation 109.5 feet; thence level to the west curb line of Depp avenue, thence west on a plane to the east curb line of Emmet avenue, grade elevation 121.3 feet; thence level to the west curb line of Emmet avenue, thence west on a plane to the east curb line of New York avenue, grade elevation 116.2 feet; thence level to the west curb line of New York avenue, thence west on a plane to a point 446 feet east of the east line of Hill street, grade elevation 114 feet; thence west on a plane to the east curb line of Hill street, grade elevation 103.90 feet; thence west on a plane to the west curb line of Hill street, grade elevation 103.4 feet; thence west on a plane to a point 242 feet east of the east line of Engineer street, grade elevation 99.6 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 98.50 feet; thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 93.5 feet; thence west level to the west curb line of Brown street.

SEC. 152. The grade of Saline street between Heard avenue and Brown street shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 102.3 feet; thence level to the west curb line of Heard avenue, thence west on a plane to the east curb line of Depp avenue, grade elevation 111 feet; thence west on a plane to the west curb line of Deep avenue, grade elevation 111.6 feet; thence west on a plane to the east curb line of Emmet avenue, grade elevation 120.2 feet; thence west on a plane to the west curb line of Emmet avenue, grade elevation 120.8 feet; thence west on a plane 205 feet to a point, grade elevation 122 feet; thence west level to the west curb line of New York avenue, thence west on a plane to the east curb line of Randolph street, grade elevation 114 feet; thence west on a plane to the west curb line of Randolph street, grade elevation 113.8 feet; thence west on a plane to the east curb line of Hill street, grade elevation 111.4 feet; thence west on a plane to the west curb line of Hill street, grade elevation 111.2 feet; thence west on a plane to the east curb line of Hurley street, grade elevation 108.8 feet; thence west on a plane to the west curb line of Hurley street, grade elevation 108.4 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 105.7 feet; thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 106.9 feet; thence west on a plane to the west curb line of Summit street, grade elevation 107.1 feet; thence level to the east curb line of Brown street, thence west on a plane to the west curb line of Brown street, grade elevation 106.9 feet,

SEC. 153. The grade of Howard street, between Heard avenue and Brown street, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 109.5 feet; thence west on a plane to the west curb line of Heard avenue, grade elevation 109.3 feet; thence west on a plane to the east curb line of Depp avenue, grade elevation 107.5 feet; thence level to the west curb line of Depp avenue, thence west on a plane to the east curb line of Emmet avenue,

grade elevation 116.8 feet; thence west on a plane to the west curb line of Emmet avenue, grade elevation 117.2 feet; thence west on a plane to the east curb line of New York avenue, grade elevation 122 feet; thence level to the west curb line of New York avenue, thence west on a plane to the east curb line of Randolph street, grade elevation 119.4 feet; thence west on a plane to the west curb line of Randolph street, grade elevation 119.2 feet; thence west on a plane to the east curb line of Hill street, grade elevation 117.9 feet; thence west on a plane to the west curb line of Hill street, grade elevation 117.7 feet; thence west on a plane to the east curb line of Hurley street, grade elevation 116.5 feet; thence west on a plane to the west curb line of Hurley street, grade elevation 116.3 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 115.72 feet; thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 114 feet; thence west on a plane to the west curb line of Summit street, grade elevation 113.4 feet; thence west on a plane to the east curb line of Brown street, grade elevation 107.3 feet; thence west on a plane to the west curb line of Brown street, grade elevation 106.7 feet.

SEC. 154. The grade of Harvey street, between Heard avenue and New York avenue, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 108.8 feet; thence west on a plane to the west curb line of Heard avenue, grade elevation 109.2 feet; thence west on a plane 340 feet to the M., K. & T. Railway Co.'s right of way, grade elevation 114.4 feet; thence west level to the M., K. & T. Railway Co.'s right of way, thence west on a plane to the east curb line of Depp avenue, grade elevation 114 feet; thence level to the west curb line of Depp avenue; thence west on a plane to the east curb line of Emmet avenue, grade elevation 116.7 feet; thence level to the west curb line of Emmet avenue.

SEC. 155. The grade of Main street between Mill street and western city limits shall be as follows, to-wit: Commencing at the intersection of the north curb line of Main street with

the west curb line of Washington avenue, grade elevation 118 feet; thence easterly to the intersection of the north curb line of Main street with the east curb line of Washington avenue, grade elevation 114 feet; thence easterly along the north curb line of Main street 187 feet, grade elevation 111.8 feet; thence east along the north line of Main street to its intersection with the west curb line of Mill street, grade elevation 109 feet; thence south along the west curb line of Mill street on a plane to the south curb line of Main street, grade elevation 109.5 feet; thence westerly along the south curb line of Main street to a point 365 feet west of the west curb line of Mill street, grade elevation 116 feet; thence west along south curb line of Main street to the east curb line of Washington avenue, grade elevation 118 feet; thence west along the south curb line of Main street to the intersection with the west curb line of Washington avenue, grade elevation 118 feet; and also commencing at the west curb line of Washington avenue, grade elevation 118 feet; thence west on a plane to the west curb line of Massachusetts avenue, grade elevation 114.7 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 111 feet; thence west on a plane to the west curb line of Lamine avenue, grade elevation 110.4 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 106.3 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 105.4 feet; thence west on a plane to the east curb line of Osage avenue, grade elevation 100.7 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 99.4 feet; thence west on a plane to the east curb line of Kentucky avenue, grade elevation 95.2 feet; thence west on a plane to the west curb line of Kentucky avenue, grade elevation 94.5 feet; thence west on a plane 100 feet to a point, grade elevation 91.7 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 89.3 feet; thence west on a plane to the east curb line of Vermont avenue, grade elevation 87.7 feet; thence west on a plane to the west curb line of Vermont avenue, grade elevation 87.5 feet; thence west



on a plane to the east curb line of Missouri avenue, grade elevation 85 feet; thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 77.6 feet; thence west on a plane to the west curb line of Harrison avenue, grade elevation 77 feet; thence west on a plane 290 feet to a point, grade elevation 73 feet; thence west on a plane to the east curb line of Gaand avenue, grade elevation 75 feet; thence level to the west curb line of Grand avenue; thence west on a plane to the east curb line of Prospect avenue, grade elevation 81.2 feet; thence west on a plane to the west curb line of Prospect avenue, grade elevation 81.4 feet, thence west on a plane 150 feet to a point, grade elevation 81.2 feet; thence west on a plane to the east curb line of Quincy avenue, grade elevation 79.2 feet; thence west on a plane to the west curb line of Quincy avenue, grade elevation 78.8 feet; thence west on a plane to the east curb line of Stewart avenue, grade elevation 70.6 feet; thence west on a plane to the west curb line of Stewart avenue, grade elevation 70.2 feet; thence west on a plane to the east curb line of Park avenue, grade elevation 62.5 feet; thence level to the west line of Park avenue, thence west on a plane 965 feet to a point, grade elevation 44.5 feet; thence west on a plane 575 feet to a point, grade elevation 36 feet; thence west on a plane 500 feet, grade elevation 31 feet; thence west on a plane 585 feet to a point in the western city limits, grade elevation 34 feet.

SEC. 156. The grade of Second street between Mill street and Park avenue shall be as follows, to-wit: Commencing at the west curb line of Mill street, grade elevation 110.35 feet; thence west on a plane to the east curb line of Washington avenue, grade elevation 119.80 feet; thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 115.4 feet; thence west on a plane to the west curb line of Massachusetts avenue, grade elevation 114.8 feet; thence west on a plane to the east curb line of Lamine avenue, grade elevation 109.6 feet; thence west on a plane to the west curb line of Lamine

avenue, grade elevation 108.4 feet; thence west on a plane to the east curb line of Ohio avenue, grade elevation 102.9 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 102.5 feet; thence west on a plane to a point 125 feet east of the east line of Osage avenue, grade elevation 100 feet; thence west to the east curb line of Osage avenue, grade elevation 98.60 feet; thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 96.6 feet; thence level to the west curb line of Kentucky avenue, thence west on a plane to a point 136.5 feet east of the east line of Moniteau avenue, grade elevation 97.5 feet; thence west on a plane to the east curb line of Moniteau avenue, grade elevation 96 feet; thence level to the west curb line of Moniteau avenue, thence west on a plane to a point 132.5 feet east of the east line of Vermont avenue, grade elevation 97 feet; thence west on a plane to the east curb line of Vermont avenue, grade elevation 95 feet; thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 90.5 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 89.50 feet; thence west on a plane to the east curb line of Harrison avenue, grade elevation 79.1 feet; thence west on a plane to a point 180 feet east of the east line of Grand avenue, grade elevation 78.5 feet; thence west on a plane to the east curb line of Grand avenue, grade elevation 80.9 feet; thence west on a plane to the west curb line of Grand avenue, grade elevation 81.4 feet; thence west on a plane to the east curb line of Prospect avenue, grade elevation 86 feet; thence west on a plane to the west curb line of Prospect avenue, grade elevation 86 feet; thence west on a plane 140 feet to a point, grade elevation 85 feet; thence west to the east curb line of Quincy avenue, grade elevation 84.8 feet; thence west on a plane to the west curb line of Quincy avenue, grade elevation 84.4; thence west on a plane to the east curb line of Stewart avenue, grade elevation 75 feet; thence west on a plane to the west curb line of Stewart

avenue, grade elevation, 74.6 feet; thence west on a plane to the east curb line of Park avenue, grade elevation 65.6 feet; thence level to the west line of Park avenue.

SEC. 157. The grade of Wilkerson street between Moniteau avenue and Park avenue, shall be as follows, to-wit: Commencing at the west line of Moniteau avenue, grade elevation 102.72 feet; thence west on a plane to the east curb line of Vermont avenue, grade elevation 98.2 feet; thence west on a plane to the west curb line of Vermont avenue, grade elevation 97.8 feet; thence west on a plane to the east curb line of Missouri avenue, grade elevation 88.5 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 87.9 feet; thence west on a plane 156 feet to a point, grade elevation 81.6 feet; thence west on a plane to the west curb line of Harrison avenue, grade elevation 78.2 feet; thence west 250 feet to a point, grade elevation 80.5 feet; thence west on a plane to the east curb line of Grand avenue, grade elevation 85.40 feet; thence west on a plane to the west curb line of Grand avenue, grade elevation 85.80 feet; thence west on a plane to the east curb line of Prospect avenue, grade elevation 89.80 feet; thence level to the west curb line of Prospect avenue, thence west on a plane to the east curb line of Quincy avenue, grade elevation 83.8 feet; thence west on a plane to the west curb line of Quincy avenue, grade elevation 83.4 feet; thence west on a plane to the east curb line of Stewart avenue, grade elevation 74 feet; thence west on a plane to the west curb line of Stewart avenue, grade elevation 73.6 feet; thence west on a plane to the east curb line of Park avenue, grade elevation 64.2 feet.

SEC. 158. The grade of Third street, between New York avenue and Barrett avenue, shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 118.4 feet; thence west on a plane to the west curb line of New York avenue, grade elevation 118 feet; thence west on a plane to the east curb line of Porter street, grade elevation 106 feet; thence level to the west curb line of Porter street,

thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 111.4 feet; thence west on a plane to the west curb line of Wagner street, grade elevation 111.6 feet; thence west on a plane to the east curb of Engineer street, grade elevation 113.5 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 113.9 feet, thence west on a plane to the east curb line of Summit street, grade elevation 116 feet, thence west on a plane to the west curb line of Summit street, grade elevation 116.6 feet, thence west on a plane to the east curb line of Brown street, grade elevation 118.1 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 117 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 116.6 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 115 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 117.1 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 116.9 feet, thence west on a plane to the east M., K. & T. tracks, grade elevation 114.3 feet, thence level across the M., K. & T. tracks, thence west on a plane to east line of M., K. & T. Ry. tracks, grade elevation 110.4 feet, thence level across the S., W. & S. Ry. tracks, thence west on a plane to the east curb line of Mill street, grade elevation 111.6 feet, thence west on a plane to the west curb line of Mill street, grade elevation 111.9 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 116.2 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 116.6 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 118.3 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 113.1 feet, thence west on a plane to the west curb line of Massachusetts avenue, grade elevation 112.1 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 108.3 feet,

thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 106.60 feet, thence level to the west line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 107 feet, thence west on a plane to the west curb line of Osage avenue, grade elevation 107.3 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 108.8 feet, thence level to the west curb line of Kentucky avenue, then west on a plane to the east curb line of Moniteau avenue, grade elevation 104.8 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 104.5 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 96.4 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 95.4 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 89.2 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 88.8 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 86.90 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 87.2 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 92.3 feet, thence west on a plane to the west curb line of Grand avenue, grade elevation 92.6 feet, thence west on a plane to the east curb line of Prospect avenue, grade elevation 90 feet, thence west on a plane to the west curb line of Prospect avenue, grade elevation 89.8 feet, thence west on a plane 140 feet to a point, grade elevation 87.4 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 83.7 feet, thence west on a plane to the west curb line of Quincy avenue, grade elevation 83.1 feet, thence west on a plane to the east curb line of Stewart avenue, grade elevation 74.90 feet, thence west on a plane to the west curb line of Stewart avenue, grade elevation 74.40 feet, thence west on plane to the east curb line of Park avenue, grade elevation 69.5 feet, thence west on a plane to the west curb line of Park avenue, grade elevation 69 feet, thence west on a



plane to the east curb line of Sneed avenue, grade elevation 65.2 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 64.8 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 60.8 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 60.2 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 54.2 feet thence west on a plane to the west curb line of Thompson avenue, grade elevation 53.8 feet, thence west on a plane to the east curb line of Barrett avenue, grade elevation 52.3 feet, thence level to the west curb line of Barrett avenue.

SEC. 159. The grade of Linn street, between Heard avenue and Emmet avenue, shall be as follows, to-wit: Commencing at the east curb line of Heard avenue, grade elevation 108.8 feet, thence west on a plane to the west curb line of Heard avenue, grade elevation 109.4 feet, thence west on a plane to the east curb line of Depp avenue, grade elevation 116.7 feet, thence west on a plane to the west curb line of Depp avenue, grade elevation 117.3 feet, thence west on a plane 240 feet to a point, grade elevation 119 feet, thence west on a plane to the east curb line of Emmet avenue, grade elevation 118 feet, thence level to the west curb line of Emmet avenue.

SEC. 160. The grade of Fourth street, between a point 270 feet east of the east line of Emmet avenue and Barrett avenue, shall be as follows, to-wit: Commencing at a point 270 feet east of the east line of Emmet avenue, grade elevation 121 feet, thence west on a plane to the east curb line of Emmet avenue, grade elevation 119.7 feet, thence west on a plane to the west curb line of Emmet avenue 119.5 feet, thence west on a plane to the east curb line of New York avenue, grade elevation 110.3 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 109.7 feet, thence west on a plane 200 feet to a point, grade elevation 104 feet, thence west on a plane to the east curb line of Porter street, grade elevation 101 feet, thence level to the west curb line of Porter street,

thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 106.1 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 106.3 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 108.7 feet, thence west on a plane to the east curb line of Summit street, grade elevation 114.4 feet, thence west on a plane to the west curb line of Summit street, grade elevation 115 feet, thence west on a plane to the east curb line of Brown street, grade elevation 119.5 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 118.1 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 117.9 feet, thence west on a plane to the east line of Marvin street, grade elevation 116.4 feet, thence level to the west line of Marvin street, thence west on a plane to the east curb line of Hancock avenue, grade elevation 118.4 feet, thence level to the west curb line of Hancock avenue, thence west on a plane 350 feet to a point, grade elevation 114 feet, and also commencing at the east curb line of Thompson avenue, grade elevation 111.3 feet, thence level to the west curb line of Thompson avenue, thence west on a plane 275 feet to a point, grade elevation 112.3 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 117.4 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 117.6 feet, thence west on a plane 142½ feet to a point, grade elevation 118.4 feet, thence west on a plane to east curb line of Washington avenue, grade elevation 117.8 feet, thence west on a plane to the west curb line of Washington avenue, grade elevation 117.2 feet, thence west on a plane to east curb line of Massachusetts avenue, grade elevation 112 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 112.75 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east line of Ohio avenue, grade elevation 113.6 feet, thence west on a plane to the west

line of Ohio avenue, grade elevation 114 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 112.75 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 110.77 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 110.37 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 104.74 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 104.02 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 96 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 95.3 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 89.30 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 89 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 89.40 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 95.11 feet, thence west on a plane to the west curb line of Grand avenue, grade elevation 95.63 feet, thence west level 140 feet to a point, thence west on a plane 175 feet to a point, grade elevation 93 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 84.4 feet, and also commencing on the west curb line of Park avenue, grade elevation 70.4 feet, thence west on a plane to the east curb line of Sneed avenue, grade elevation 63.4 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 63 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 56.5 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 55.9 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 49.3 feet, thence west on a plane to the west curb line of Thompson avenue, grade elevation 48.7 feet, thence west on a plane to the east curb line of Barrett avenue, grade elevation 44.6 feet, thence level to the west curb line of Barrett avenue.

SEC. 161. The grade of Fifth street between a point 270 feet east of the east line of Emmet avenue and Barrett avenue shall be as follows, to-wit: Commencing at a point 270 feet east of the east line of Emmet avenue, grade elevation 121 feet, thence west on a plane to the east curb line of Emmet avenue, grade elevation 118.2 feet, thence west on a plane to the west curb line of Emmet avenue, grade elevation 118 feet, thence west on a plane to the east curb line of New York avenue, grade elevation 108.60 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 108 feet, also commencing at the east curb line of New York avenue, grade elevation 108.1 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 107.5 feet, thence west on a plane 210 feet to a point, grade elevation 101 feet, thence west on a plane to the east curb line of Porter street, grade elevation 98.1 feet, thence west on a plane to the west curb line of Porter street, grade elevation 97.9 feet, thence west on a plane to the east curb line of Center street, grade elevation 97 feet, thence level to the west curb line of Center street, also commencing at the east curb line of Center street, grade elevation 95.7 feet, thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 100 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 100.4 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 108.4 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 108.8 feet, thence west on a plane to the east curb line of Summit street, grade elevation 115.4 feet, thence west on a plane to the west curb line of Summit street, grade elevation 115.6 feet, thence west on a plane to the east curb line of Brown street, grade elevation 117 feet, thence west on a plane to the west curb line of Brown street, grade elevation 117.4 feet, then west level to the east curb line of Montgomery street, thence west on a plane to the west curb line of Montgomery street, grade elevation 116.8 feet, thence west on a plane to the east line of Marvin street,

grade elevation 114.4 feet, thence level to the west line of Marvin street, thence west on a plane to the east curb line of Hancock street, grade elevation 117 feet, thence west on a plane to the west curb line of Hancock street, grade elevation 116.9 feet, thence west on a plane to the M., K. & T. Ry. Co.'s repair tracks, grade elevation 115.30 feet, thence west on a plane 60 feet across M., K. & T. Ry. Co.'s repair tracks, grade elevation 114.90 feet, thence west 150 feet on a plane to the M., K. & T. Ry. Co.'s tracks, grade elevation 115.49 feet, thence west on a plane to the S., W. & S. Ry. tracks, grade elevation 115.70 feet, thence west on a plane 285 feet to a point, grade elevation 116.35 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 120.3 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 120.6 feet, thence west on a plane to a point, 132.5 feet east of the east line of Washington avenue, grade elevation 122.3 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 120.60 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 118.33 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 117.4 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east line of Ohio avenue, grade elevation 115.6 feet, thence west on a plane to the west line of Ohio avenue, grade elevation 115.3 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 111 feet, thence west level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 107 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 106.5 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 99.75 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 99 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 91.5 feet,



thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 91.9 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 92.1 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 94.2 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 94.9 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 98.1 feet, and also commencing on the west curb line of Grand avenue, grade elevation 99.67 feet, thence west on a plane 325 feet to a point, grade elevation 94.5 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 87.2 feet, and also commencing at the west curb line of Park avenue, grade elevation 65.6 feet, thence west on a plane to the east curb line of Sneed avenue, grade elevation 58.4 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 58 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 52.1 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 51.5 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 46.2 feet, thence level to the west curb line of Thompson avenue, thence west on a plane to the east curb line of Barrett avenue, grade elevation 43.3 feet, thence level to the west line of Barrett avenue.

SEC. 162. The grade of Sixth street, between lots 16 and 15 and lots 7 and 8 McVey's addition, between New York avenue and Center street, shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 107.8 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 107.2 feet, thence west on a plane to the east curb line of Center street, grade elevation 89 feet, thence level to the west curb line of Center street.

SEC. 163. The grade of Sixth street, between lots 14 and 13 and 9 and 10 McVey's addition, between New York avenue and Center street, shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 109.8

feet, thence west on a plane to the west curb line of New York avenue, grade elevation 109.2 feet, thence west on a plane 320 feet to a point, grade elevation 98.2 feet, thence west on a plane to the east curb line of Center street, grade elevation 93.5 feet, thence level to the west curb line of Center street.

SEC. 164. The grade of Sixth street, between Center street and Carr avenue, shall be as follows, to-wit: Commencing at the east curb line of Center street, grade elevation 91.3 feet, thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 97.8 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 98.4 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 108.3 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 108.7 feet, thence west on a plane to the east curb line of Summit street, grade elevation 111.5 feet, thence level to the west curb line of Summit street, thence west on a plane to the east curb line of Brown street, grade elevation 108.6 feet, thence level to the west curb line of Montgomery street, thence west on a plane to the east line of Marvin street, grade elevation 107.4 feet, thence level to the west line of Marvin street, and also commencing at the east curb line of Lafayette avenue, grade elevation 122.8 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 123.2 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 125.5 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 123.5 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 119.8 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 119 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 113.6 feet; thence west on a plane to the west curb line of Ohio avenue, grade elevation 113.4 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 106.9 feet, thence level to the west curb line of Osage avenue,

thence west on a plane to the east curb line of Kentucky avenue, grade elevation 101.4 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 101 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 97.3 feet, thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 97.5 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 97.7 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 99.6 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 100.4 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 96.7 feet, thence level to the west curb line of Grand avenue, thence west on a plane the east curb line of Quincy avenue, grade elevation 84 feet, thence west on a plane to the west line of Quincy avenue, grade elevation 83.6 feet, thence west on a plane 290 feet to a point, grade elevation 73.6 feet, thence west on a plane 40 feet to a point, grade elevation 73 feet, thence west on a plane to the east curb line of Park avenue, grade elevation 63 feet, thence level to the west curb line of Park avenue, and also commencing at the east curb line of Park avenue, grade elevation 62.1 feet, thence level to the west curb line of Park avenue, thence west on a plane to the east curb line of Sneed avenue, grade elevation 53.2 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 52.8 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 48 feet, thence level to the west curb line of Carr avenue.

SEC. 165. The grade of Seventh street between New York avenue and Park avenue shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 105.6 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 105.2 feet, thence west on a plane to the east curb line of Porter street, grade

elevation 95.4 feet, thence west on a plane to the west curb line of Porter street, grade elevation 95 feet, thence west on a plane to the east curb line of Center street, grade elevation 86.8 feet, thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 95.7 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 96.3 feet; thence west on a plane to the east curb line of Engineer street, grade elevation 106.6 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 107 feet, thence level to the east curb line of Summit street, thence west on a plane to the west curb line of Summit street, grade elevation 106.4 feet, thence west on a plane to the east curb line of Brown street, grade elevation 99 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 99.5 feet, thence level to the west curb line of Montgomery street, thence west on a plane to the east line of Marvin street, grade elevation 105 feet, thence level to the west line of Marvin street, and also commencing at the east curb line of Lafayette avenue, grade elevation 121.6 feet, thence level to the west curb line of Lafayette avenue, thence west on a plane to the east curb line of Washington avenue, grade elevation 127 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 124.6 feet, thence west on a plane to the west curb line of Massachusetts avenue, grade elevation 124 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 117.9 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 117.3 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 113 feet, thence west on a plane to the west curb line of Ohio avenue, grade elevation 112.9 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 107.8 feet, thence west on a plane to the west curb line of Osage avenue, grade elevation 107.6 feet, thence west on plane to the east curb line of Kentucky avenue, grade elevation

106.6 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 106.7 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 107.9 feet, thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 106.22 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 105.46 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 107.6 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 103.8 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 103 feet, thence west to the east curb line of Grand avenue, grade elevation 92.5 feet; thence west on a plane to the west curb line of Grand avenue, grade elevation 92.1 feet, thence west on a plane to the east line of Quincy avenue, grade elevation 77.5 feet, thence west on a plane to the west line of Quincy avenue, grade elevation 77.1 feet, thence west on a plane to a point 290 feet west of the west line of Quincy avenue, grade elevation 69.2 feet, thence west on a plane 40 feet to a point, grade elevation 68.6 feet, thence west on a plane to the east curb line of Park avenue, grade elevation 60.5 feet, thence level to the west curb line of Park avenue.

SEC. 166. The grade of Broadway between eastern city limits and Thompson avenue, shall be as follows, to-wit: Commencing at the west curb line of Arlington avenue, grade elevation 112 feet, thence west on a plane 440 feet to a point, grade elevation 98 feet, thence west on a plane 390 feet to a point, grade elevation 94 feet, thence west 40 feet level, thence west on a plane 285 feet to a point, grade elevation 101.3 feet, thence west level to the east curb line of New York avenue, thence west on a plane to the west curb line of New York avenue, grade elevation 100.7 feet, thence west on a plane to the east curb line of Porter street, grade elevation 88.8 feet, thence west on a plane to the west curb line of Porter street, grade eleva-



tion 88.2 feet, thence west on a plane to the east curb line of Center street, grade elevation 84.7 feet, thence level to the west curb line of Center street, thence west on a plane to the east curb line of Wagner street, grade elevation 93.7 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 94.3 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 108 feet, thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 103 00 feet; thence west on a plane to the west curb line of Summit street, grade elevation 102.4 feet, thence west on a plane to the east curb line of Brown street, grade elevation 93 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 93.8 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 94.2 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 102.40 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 103 feet, thence west level 205 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 101.8 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 101.6 feet, thence west on a plane 260 feet to a point, grade elevation 100 feet, thence west to the east curb line of Thompson avenue, grade elevation 103.8 feet, thence west on a plane to the west curb line of Thompson avenue, grade elevation 104.2 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 111 feet, thence west on a plane to the west curb line of Ingram avenue, grade elevation 111.4 feet, thence west on a plane to the east M., K. & T. Ry. tracks, grade elevation 120.2 feet, thence west on a plane to the west M., K. & T. Ry. tracks, grade elevation 121.2 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 121.4 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 121.6 feet, thence west on a plane to the east curb line of Washington avenue, grade ele-

vation 126.2 feet; thence west on a plane to the west curb line of Washington avenue, grade elevation 126.4 feet, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 125.4 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 120.5 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 116.8 feet, thence west on a plane to the west curb line of Ohio avenue, grade elevation 116.7 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 116 feet; thence west on a plane to the west curb line of Osage avenue, grade elevation 115.8 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 116.80 feet, thence level to the west curb line of Kentucky avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 115.8 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 115.7 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 113.5 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 107.8 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 107.3 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 97.7 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 69.2 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 86.7 feet, thence west on a plane to the west curb line of Grand avenue, grade elevation 85.7 feet thence west on a plane to the east curb line of Prospect avenue, grade elevation 78.4 feet, thence west on a plane to the west curb line of Prospect avenue, grade elevation 78 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 74 feet, thence west on a plane to the west curb line of Quincy avenue, grade elevation 73.4 feet, thence west on a plane to the east curb line of Stewart avenue, grade elevation 65.5 feet,

thence west on a plane to the west curb line of Stewart avenue, grade elevation 64.7 feet, thence west on a plane to the east curb line of Park avenue, grade elevation 58.2 feet, thence west on a plane to the west curb line of Park avenue, grade elevation 57.8 feet, thence west on a plane to the east curb line of Sneed avenue, grade elevation 55 feet, thence level to the west curb line of Sneed avenue, thence west on a plane to the east curb line of Carr avenue, grade elevation 63.2 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 63.8 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 71.5 feet, thence level to the west curb line of Thompson avenue.

SEC. 167. The grade of Ninth street between New York avenue and Thompson avenue shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 92.7 feet, thence level to the west curb line of New York avenue, thence west on a plane to the east curb line of Porter street, grade elevation 82.2 feet, thence west on a plane to the west curb line of Porter street, grade elevation 81.8 feet, thence west on a plane 150 feet to a point, grade elevation 81 feet, thence west on a plane to the east curb line of Center street, grade elevation 82.7 feet, thence west on a plane to the west curb line of Center street, grade elevation 83.3 feet, thence west on a plane to the east curb line of Wagner street, grade elevation 93.7 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 94.3 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 102 feet, thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 96.3 feet, thence west on a plane to the west curb line of Summit street, grade elevation 95.7 feet, thence west on a plane to the east curb line of Brown street, grade elevation 81.3 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 89.4 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 90

feet, thence west on a plane to the east curb line of Marvin street, grade elevation 97 feet, thence level to the west curb line of Marvin street, thence west on a plane to the east curb line of Hancock avenue, grade elevation 91.5 feet, thence level to the west curb line of Hancock avenue, thence west on a plane to the east curb line of Thompson avenue, grade elevation 105.2 feet, thence west on a plane to the west curb line of Thompson avenue, grade elevation 105.8 feet thence west on a plane to the east curb line of Ingram avenue, grade elevation 112.8 feet, thence west on a plane to the west curb line of Ingram avenue, grade elevation 113.2 feet, thence west on a plane to the M. K. & T. Ry. Co.'s right of way, grade elevation 121.5 feet, and also commencing at the east curb line of Massachusetts avenue, grade elevation 126.7 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 124 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 122.4 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 121.3 feet, thence west on a plane to the west curb line of Osage avenue, grade elevation 120.7 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 115 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 114.6 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 109.3 feet, thence level to the west curb line of Moniteau avenue, thence west level 155 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 108.7 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 101.75 feet, thence level to the west curb line of Missouri avenue, thence west on a plane 150 feet to a point, grade elevation 96.2 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 95.2 feet, thence level to the west curb line of Harrison avenue, thence west on a plane 150

feet to a point, grade elevation 93.5 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 88 feet, thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 77.3 feet, thence west on a plane to the west curb line of Prospect avenue, grade elevation 76.7 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 68.3 feet, thence west on a plane to the west curb line of Quincy avenue, grade elevation 67.7 feet, thence west on a plane to the east curb line of Stewart avenue, grade elevation 62.3 feet, thence west on a plane to the west curb line of Stewart avenue, grade elevation 61.7 feet, thence west on a plane to the east curb line of Park avenue, grade elevation 58 feet, thence level to the west curb line of Park avenue, thence west on a plane to the east curb line of Sneed avenue, grade elevation 59.6 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 60 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 69.3 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 69.7 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 76 feet, thence level to the west curb line of Thompson avenue.

SEC. 168. The grade of Tenth street between New York avenue and Thompson avenue shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 85 feet, thence west on a plane to the west curb line of New York avenue, grade elevation 84.6 feet, thence west on a plane to the east curb line of Porter street, grade elevation 77 feet, thence level to the west curb line of Porter street, thence west on a plane to the east curb line of Center street, grade elevation 82.7 feet, thence west on a plane to the west curb line of Center street, grade elevation 83.3 feet, thence west on a plane to the east curb line of Wagner street, grade elevation 93.8 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 94.2 feet, thence west on a plane 140 feet to a point, grade elevation 97.2 feet, thence west on a plane



to the east curb line of Engineer street, grade elevation 99 feet, thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 91.8 feet, thence west on a plane to the west curb line of Summit street, grade elevation 91.4 feet, thence west on a plane to the east curb line of Brown street, grade elevation 81 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 87.2 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 87.6 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 89.5 feet, thence level to the west curb line of Marvin street, thence west on a plane to the east curb line of Hancock street, grade elevation 92.20 feet, thence west on a plane to the west curb line of Hancock street, grade elevation 93.6 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 110.4 feet, thence west on a plane to the west curb line of Thompson avenue, grade elevation 111 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 117 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 119.8 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 120.2 feet, thence west on a plane to the M., K. & T. Ry. tracks, grade elevation 122.80 feet, thence west to the S., W. & S. Ry. tracks, grade elevation 123 feet, thence west level to the west curb line of Washington avenue, thence west on a plane 145 feet to a point, grade elevation 123.8 feet, thence west on a plane to the east curb line of Massachusetts avenue, grade elevation 123.10 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 121.6 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 119.1 feet; thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue,

grade elevation 114.7 feet; thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 110 feet, thence level to the west curb line of Kentucky avenue, thence west on a plain to the east curb line of Moniteau avenue, grade elevation 102.3 feet, thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 103 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 95.15 feet; thence west on a plane to the west curb line of Missouri avenue, grade elevation 94.75 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 85.8 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 85.4 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 83.8 feet; thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 80.3 feet; thence west on a plane to the west curb line of Prospect avenue, grade elevation 79.7 feet; thence west on a plane to the east curb line of Quincy avenue, grade elevation 71.4 feet, thence west on a plane to the west curb line of Quincy avenue, grade elevation 70.6 feet, thence west on a plane to the east curb line of Stewart avenue, grade elevation 62.2 feet, thence west on a plane to the west curb line of Stewart avenue, grade elevation 61.8 feet, thence west on a plane to the east curb line of Park avenue, grade elevation 60 feet, thence level to the west curb line of Park avenue, thence west on a plane to the east curb line of Sneed avenue, grade elevation 66 feet, thence west on a plane to the west curb line of Sneed avenue, grade elevation 66.4 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 74.2 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 74.8 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 78.4 feet, thence level to the west curb line of Thompson avenue.

SEC. 169. The grade of Eleventh street between New York avenue and Thompson avenue shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 77 feet, thence level to the west curb line of Porter street, thence west on a plane to the east curb line of Center street, grade elevation 85.6 feet; thence west on a plane to the west curb line of Center street, grade elevation 86 feet, thence west on a plane 155 feet, to a point, grade elevation 91.5 feet, thence west on a plane to the east curb line of Wagner street, grade elevation 93.8 feet thence level to the west curb line of Wagner street, thence west on a plane to the east curb line of Engineer street, grade elevation 87.2 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 88.8 feet, thence west on a plane to the east curb line of Summit street, grade elevation 83.1 feet, thence west on a plane to the west curb line of Summit street, grade elevation 82.7 feet, thence west on a plane to the east curb line of Brown street, grade elevation 78 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 80.4 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 80.6 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 83.3 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 96.3 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 96.9 feet, thence west on a plane to the east curb line of Thompson avenue, grade elevation 109.20 feet, thence west on a plane to the west curb line of Thompson avenue, grade elevation 109.6 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 115 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 116.6 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 117 feet, thence west on a plane to the east right of way of the M. K. & T. Ry. land, grade elevation 120.4 feet, and also commencing at the right of

way of the S. W. & S Ry., grade elevation 121.1 feet, thence level to the west curb line of Massachusetts avenue, thence west on a plane to the east curb line of Lamine avenue, grade elevation 116.7 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 116.3 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 113.2 feet, thence west on a plane to the west curb line of Ohio avenue, grade elevation 112.6 feet, thence west on a plane 125 feet to a point, grade elevation 108 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 105.8 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 101.7 feet; thence level to the west curb line of Kentucky avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 95 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 89 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 79.2 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 78.8 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 76.2 feet; thence level to the west curb line of Grand avenue, thence west on a plane to the east curb line of Prospect avenue, grade elevation 72 feet, thence west on a plane to the west curb line of Prospect avenue, grade elevation 71.4 feet, thence west on a plane to the east curb line of Quincy avenue, grade elevation 67.2 feet, thence west on a plane to the west curb line of Quincy avenue, grade elevation 66.8 feet, thence west on a plane to the east curb line of Stewart avenue, grade elevation 63.5 feet, thence level to the west curb line of Stewart avenue, thence west on a plane to the east curb line of Park avenue, grade elevation 62 feet, thence level to the west curb line of Park avenue, thence west on a plane to the east curb line of Sneed avenue, grade elevation 72.8 feet, thence west on a plane to the west curb line of Sneed

avenue, grade elevation 73.2 feet, thence west on a plane to the east curb line of Carr avenue, grade elevation 79.3 feet, thence west on a plane to the west curb line of Carr avenue, grade elevation 79.7 feet, thence west on a plane 150 feet to a point, grade elevation 80.6 feet, thence level to the west curb line of Thompson avenue.

SEC. 170. The grade of Twelfth street, between New York avenue and Washington avenue, shall be as follow-, to-wit: Commencing at the east curb line of New York avenue, grade elevation 73 feet, thence level to the west curb line of New York avenue, thence west on a plane to the east curb line of Porter street, grade elevation 76.8 feet, thence west on a plane to the west curb line of Porter street, grade elevation 77.2 feet, thence west on a plane to the east curb line of Center street, grade elevation 85.8 feet, thence west on a plane to the west curb line of Center street, grade elevation 86.2 feet, thence west on a plane 160 feet to a point, grade elevation 90.2 feet, thence level to the east curb line of Wagner street, thence west on a plane to the west curb line of Wagner street, grade elevation 89.8 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 84.4 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 84 feet, thence west on a plane to the east curb line of Summit street, grade elevation 78.8 feet, thence west on a plane to the west curb line of Summit street, grade elevation 78.4 feet, thence west on a plane to the east curb line of Brown street, grade elevation 75.6 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 78.7 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 79.3 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 86.7 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 87.3 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 99.7 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 100 feet, thence



west on a plane 245 feet to a point, grade elevation 107 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 111 feet, thence west on a plane to the west curb line of Thomson avenue, grade elevation 111.4 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 112.4 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 114.6 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 117 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 120 feet, thence level to the west curb line of Washington avenue.

SEC. 171. The grade of Thirteenth street, between Wagner street and Grand avenue, shall be as follows, to-wit: Commencing at the east curb line of Wagner street, grade elevation 83.4 feet, thence west on a plane to the west curb line of Wagner street, grade elevation 83.2 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 76.4 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 76 feet, thence west on a plane to the east curb line of Summit street, grade elevation 72 feet, thence level to the west curb line of Summit street, thence west on a plane to the east curb line of Brown street, grade elevation 77.3 feet, thence west on a plane to the west curb line of Brown street, grade elevation 77.7 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 85.20 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 85.6 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 93.7 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 94.3 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 103 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 103.6 feet, thence west on a plane 180 feet to a point, grade elevation 108.7 feet, thence west on a plane 40 feet to a point, grade elevation 109.3 feet, thence west on a plane 150

feet to a point, grade elevation 113 feet, thence level to the east curb line of Thomson avenue, thence west on a plane to the west curb line of Thomson avenue, grade elevation 112.4 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 107.2 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 112.1 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 112.50 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 117.5 feet, thence level to the S., W. & S. Ry. tracks, thence west on a plane to the M., K. & T. Ry. tracks, grade elevation 117.4 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 116.3 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 116.1 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 115 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 110.8 feet, thence west on a plane to the west curb line of Osage avenue, grade elevation 110.2 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 103 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 102.4 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 92.9 feet, thence level to the west curb line of Moniteau avenue, and also commencing at a point 140 feet east of the east line of Missouri avenue, grade elevation 83.5 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 82.5 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 77.5 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 75.60 feet, thence level to the west curb line of Grand avenue.

SEC. 172. The grade of Fourteenth street, between Engineer street and Grand avenue, shall be as follows, to-wit:

Commencing at the east line of Engineer street, grade elevation 68.9 feet, thence level to the west curb line of Engineer street, thence west on a plane to the east curb line of Summit street, grade elevation 70.7 feet; thence west on a plane to the west curb line of Summit street, grade elevation 71.3 feet, thence west on a plane to the east curb line of Brown street, grade elevation 81 feet, thence west on a plane to the west curb line of Brown street, grade elevation 81.6 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 92.2 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 92.8 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 99.3 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 99.7 feet, thence west on a plane to the east curb line of Hancock avenue grade elevation 107.6 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 108.2 feet, thence west on a plane 285 feet to a point, grade elevation 112.8 feet, thence west on a plane 40 feet to a point, grade elevation 113.2 feet, thence west level 150 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 110.3 feet, thence west on a plane to the west curb line of Thomson avenue, grade elevation 109.7 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 103 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 109.5 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 110.1 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 115.2 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the S., W. & S. Ry. tracks, grade elevation 114.3 feet, thence west on a plane to the M., K. & T. Ry. tracks, grade elevation 115.3 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 111.8 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the

east curb line of Osage avenue, grade elevation 109 feet, thence west on a plane to the west curb line of Osage avenue, grade elevation 108.4 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 100 feet, thence level to the west curb line of Kentucky avenue, thence west 135 feet to a point, grade elevation 98.6 feet, thence west level to the west curb line of Moniteau avenue, and also commencing at the east curb line of Moniteau avenue, grade elevation 94.60 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 92 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 90 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 82 feet; thence level to the west curb line of Grand avenue.

SEC. 173. That the grade of Fifteenth street, between Engineer street and Grand avenue, shall be as follows, to-wit: Commencing at the east curb line of Engineer street, grade elevation 66.8 feet; thence west on a plane to the west curb line of Engineer street, grade elevation 67.2 feet, thence west on a plane to the east curb line of Summit street, grade elevation 76.7 feet, thence west on a plane to the west curb line of Summit street, grade elevation 77.3 feet, thence west on a plane to the east curb line of Brown street, grade elevation 87.3 feet, thence west on a plane to the west curb line of Brown street, grade elevation 87.7 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 97.6 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 98.4 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 104.9 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 105.1 feet, thence west on a plane to the east curb line of Hancock avenue, grade elevation 106.7 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 106.9 feet, thence west on a plane 290 feet to a point,

grade elevation 109.8 feet, thence west 40 feet to a point, grade elevation 110.2 feet, thence west on a plane 150 feet to a point, grade elevation 111.8 feet, thence west level to the east curb line of Thompson avenue, thence west on a plane to the west curb line of Thompson avenue, grade elevation 111.2 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 101.5 feet, thence level to the west curb line of Ingram avenue, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 103.8 feet, thence west on a plane to the west curb line of Lafayette avenue, grade elevation 104.2 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 110.4 feet, thence level to the west curb line of Washington avenue, thence west on a plane to the S. W. & S. Ry. tracks, grade elevation 108.8 feet, thence west on a plane 160 feet to a point, grade elevation 104.5 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 105.5 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the M. K. & T. Ry. tracks, grade elevation 112 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 109.5 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 111.8 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 107 feet, thence level to the west curb line of Kentucky avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 108.8 feet, thence level to the west curb line of Moniteau avenue, and also commencing at the west curb line of Moniteau avenue, grade elevation 104 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 106 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 101.8 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 94.3 feet, thence west on a plane to the west curb line of Harrison



avenue, grade elevation 93.7 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 82 feet, thence level to the west curb line of Grand avenue.

SEC. 174. The grade of Magnolia avenue between Moniteau avenue and Grand avenue shall be as follows, to-wit: Commencing at the east curb line of Moniteau avenue, grade elevation 113 feet, thence west level 145 feet, thence west on a plane to the east curb line of Vermont avenue, grade elevation 112.3 feet, thence west on a a plane to the west curb line of Vermont avenue grade elevation 111.7 feet, thence west on a plane to the east curb line Missouri avenue, grade elevation 104.3 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 103.7 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 92.8 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 92.8 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 92.2 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 85.7 feet, thence level to the west curb line of Grand avenue.

SEC. 175. The grade of Sixteenth street between eastern and western city limits shall be as follows, to-wit: Commencing at the eastern limits, grade elevation 90 feet, thence west on a plane 225 feet to a point, grade elevation 92 feet, thence west 225 feet level, thence west on a plane 400 feet to a point, grade elevation 79.8 feet, thence west on a plane 40 feet to a point, grade elevation 79 feet, thence west on a plane to the east curb line of New York avenue, grade elevation 63.5 feet, thence west level 1090 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 71.5 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 71.9 feet, thence west on a plane to the east curb line of Summit street, grade elevation 82.8 feet, thence west on a plane to the west curb line of Summit street, grade elevation 83.2 feet, thence west on a plane to the east curb line of Brown street, grade elevation 93 feet, thence west on a plane to the west curb

line of Brown street, grade elevation 93.4 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 96.5 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 96.9 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 99 feet, thence level to the west curb line of Marvin street, thence west on a plane to the east curb line of Hancock avenue, grade elevation 97 feet, thence level to the west curb line Hancock avenue, thence west on a plane 295 feet to a point, grade elevation 102.8 feet, thence west on a plane 40 feet to a point, grade elevation 103.2 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 109.5 feet, thence level to the west curb line of Thomson avenue, thence west on a plane to the east curb line of Ingram avenue, grade elevation 100.4 feet, thence west on a plane to the west curb line of Ingram avenue, grade elevation 100 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 98.4 feet, thence level to the west curb line of Lafayette avenue, thence west on a plane to the east curb line of Washington avenue, grade elevation 103.3 feet, thence west level 190 feet, thence west on a plane to the S. W. & S. Ry. tracks, grade elevation 102.6 feet, thence west on a plane 155 feet to a point, grade elevation 99 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 100 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 100.6 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 109.3 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the M. K. & T. Ry. tracks, grade elevation 111 feet, thence west on a plane to the east curb line of Osage avenue, grade elevation 113.10 feet, thence west on a plane to the west curb line of Osage avenue grade elevation 113.2 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 114.5 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 114.7 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 116 feet,

thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 113.3 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 112.7 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 104.4 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 103.6 feet, thence west on a plane to the east curb line of Harrison avenue, grade elevation 92.8 feet, thence west on a plane to the west curb line of Harrison avenue, grade elevation 92.2 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 89.5 feet, thence level to the west curb line of Grand avenue, thence west on a plane 290 feet to a point, grade elevation 85.2 feet, thence west on a plane 40 feet to a point, grade elevation 84.6 feet, thence west on a plane 290 feet to a point, grade elevation 80.5 feet, thence west on a plane 40 feet to a point, grade elevation 81 feet, thence west on a plane 290 feet to a point, grade elevation 89 feet, thence west on a plane 40 feet to a point, grade elevation 89.8 feet, thence west on a plane 150 feet to a point, grade elevation 95.5 feet, thence west level 140 feet, thence west on a plane 40 feet to a point, grade elevation 95 feet, thence west on a plane 290 feet to a point, grade elevation 85.5 feet, thence west on a plane 40 feet to a point, grade elevation 85 feet, thence west on a plane 290 feet to a point, grade elevation 87.40 feet, thence west on a plane 40 feet to a point, grade elevation 88 feet, thence west on a plane 290 feet to a point, grade elevation 96 feet, thence west on a plane 40 feet to a point, grade elevation 96.2 feet, thence west on a plane 290 feet to a point, grade elevation 98 feet, thence west level 40 feet, thence west on a plane 290 feet to a point, grade elevation 96.4 feet, thence west on a plane 40 feet to a point, grade elevation 96.2 feet, thence west on a plane 330 feet to a point, grade elevation 94.5 feet, thence west on a plane 330 feet to a point, grade elevation 90 feet, thence west on a plane 290 feet to the western city limits, grade elevation 83.5 feet.

SEC. 176. The grade of Seventeenth street, between Engineer street and Grand avenue, shall be as follows, to-wit: Commencing at the west curb line of Engineer street, grade elevation 76.7 feet, thence west on a plane to the east curb line of Summit street, grade elevation 87.4 feet, thence west on a plane to the west curb line of Summit street, grade elevation 88 feet, thence west on a plane to the east curb line of Brown street, grade elevation 90 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 88.3 feet, thence level to the west curb line of Montgomery street, thence west on a plane to the east curb line of Marvin street, grade elevation 89.2 feet, thence level to the west curb line of Marvin street, thence west on a plane to the east curb line of Hancock avenue, grade elevation 87.2 feet, thence level to the west curb line of Hancock avenue, thence west on a plane 290 feet to a point, grade elevation 97.6 feet, thence west on a plane 40 feet to a point, grade elevation 98.4 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 108.5 feet, thence level to the west curb line of Thomson avenue, thence west on a plane to the east curb line of Ingram avenue, grade elevation 102.2 feet, thence west on a plane to the west curb line of Ingram avenue, grade elevation 101.8 feet, thence west on a plane to the east curb line of Lafayette avenue, grade elevation 94 feet, thence level to the west curb line of Lafayette avenue, thence west on a plane to the east curb line of Washington avenue, grade elevation 97 feet, and also commencing at the west curb line of Lamine avenue, grade elevation 100.4 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 107.7 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 108.5 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the M., K. & T. Ry. tracks, grade elevation 108.7 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 111.9 feet, thence level to the west curb

line of Kentucky avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 109.5 feet, thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 112.8 feet, thence level to the west curb line of Vermont avenue, thence west on a plane to the east curb line of Missouri avenue, grade elevation 107 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 103 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 95.5 feet.

SEC. 177. The grade of Eighteenth street between Engineer street and Grand avenue shall be as follows, to-wit: Commencing at the west curb line of Engineer street, grade elevation 81.7 feet, thence west on a plane to the east curb line of Summit street, grade elevation 86 feet, thence level to the west curb line of Summit street, thence west on a plane to the east curb line of Brown street, grade elevation 83 feet, thence west on a plane to the west curb line of Brown street, grade elevation 82.6 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 80.6 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 80.4 feet, thence west on a plane to the east curb line of Marvin street, grade elevation 79 feet, thence level to the west curb line of Marvin street, thence west on a plane to the east curb line of Hancock avenue, grade elevation 86.6 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 87.4 feet, thence west on a plane 295 feet to a point, grade elevation 97.6 feet, thence west on a plane 40 feet to a point, grade elevation 98.4 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 108 feet, thence level 160 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 104.2 feet, and also commencing at the west curb line of Washington avenue, grade elevation 90 feet, thence west on a plane to the S., W.



& S. Ry. tracks, grade elevation 92.8 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 99.8 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 100.4 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 105.8 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 101 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 103 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 103.4 feet, thence west on a plane to the M., K. & T. Ry. tracks, grade elevation 109.2 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 104 feet, thence level to the west curb line of Moniteau avenue, thence west on a plane to the east curb line of Vermont avenue, grade elevation 108.8 feet, thence west on a plane to the west curb line of Vermont avenue, grade elevation 109.2 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 112.5 feet, thence level to the west curb line of Missouri avenue, thence west on a plane to the east curb line of Harrison avenue, grade elevation 110 feet, thence level to the west curb line of Harrison avenue, thence west on a plane to the east curb line of Grand avenue, grade elevation 101.7 feet.

SEC. 178. The grade of Nineteenth street, between Engineer street and Moniteau avenue, shall be as follows, to wit: Commencing at the west curb line of Engineer street, grade elevation 80.00 feet, thence west on a plane to the east curb line of Summit street, grade elevation 78.1 feet, thence west on a plane to the west curb line of Summit street, grade elevation 77.9 feet, thence west on a plane to the east curb line of Brown street, grade elevation 76.1 feet, thence west on a plane to the west curb line of Brown street, grade elevation 75.9 feet, thence west on a plane to the east curb line of Montgomery street, grade elevation 74.3 feet, thence level to the west curb line of Montgomery street, thence west on a plane to the east curb line

of Marvin street, grade elevation 75.9 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 76.1 feet, thence west to the east curb line of Hancock avenue, grade elevation 86.7 feet, thence west on a plane to the west curb line of Hancock avenue, grade elevation 87.3 feet, thence west on a plane 295 feet to a point, grade elevation 95.6 feet, thence west on a plane 40 feet to a point, grade elevation 96.4 feet, thence west on a plane to the east curb line of Thomson avenue, grade elevation 106.3 feet, thence west on a plane to the west curb line of Thomson avenue, grade elevation 106.9 feet, thence west on a plane 150 feet to a point, grade elevation 108.00 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 107.4 feet, thence west on a plane to the west curb line of Ingram avenue, grade elevation 107.00 feet, and also commencing at the west curb line of Washington avenue, grade elevation 85.00 feet, thence west level 145 feet, thence west on a plane to the S., W. & S. Ry. tracks, grade elevation 89.8 feet, thence west on a plane to the east curb line of Lamine avenue, grade elevation 97.5 feet, thence west on a plane to the west curb line of Lamine avenue, grade elevation 97.9 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 100.4 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 95.00 feet, thence level to the west curb line of Kentucky avenue, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 102.4 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 103.00 feet.

SEC. 179. The grade of Twentieth street, between Engineer street and Grand avenue, shall be as follows, to-wit: Commencing at the west curb line of Engineer street, grade elevation 72.00 feet, thence west on a plane to the east curb line of Summit street, grade elevation 69.7 feet, thence west on a plane to the west curb line of Summit street, grade elevation 69.3 feet, thence west on a plane to the east curb line of Brown

street, grade elevation 67.00 feet, thence level to the west curb line of Brown street, thence west on a plane to the east curb line of Montgomery street, grade elevation 68.3 feet, thence west on a plane to the west curb line of Montgomery street, grade elevation 68.5 feet, thence west on a plane to the east curb line of Marvin street, grade 72.4 feet, thence west on a plane to the west curb line of Marvin street, grade elevation 73.00 feet, thence west on a plane 275 feet to a point, grade elevation 82.00 feet, thence west on a plane 40 feet to a point, grade elevation 82.6 feet, thence west on a plane 295 feet to a point, grade elevation 92.7 feet, thence west on a plane 40 feet to a point, grade elevation 93.3 feet, thence west on a plane 295 feet to a point, grade elevation 103.4 feet, thence west on a plane 40 feet to a point, grade elevation 103.8 feet, thence west on a plane 135 feet to a point, grade elevation 105.00 feet, thence west level to the west curb line of Ingram avenue, thence west on a plane 295 feet to a point, grade elevation 98.4 feet, thence west on a plane 40 feet to a point, grade elevation 98.00 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 88.3 feet, thence west on a plane to the west curb line of Washington avenue, grade elevation 87.7 feet, and also commencing at the east curb line of Lamine avenue, grade elevation 91.6 feet, thence level to the west curb line of Lamine avenue, thence west on a plane to the east curb line of Ohio avenue, grade elevation 90.2 feet, thence level to the west curb line of Ohio avenue, thence west on a plane to the east curb line of Osage avenue, grade elevation 88.00 feet, thence level to the west curb line of Osage avenue, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 92.6 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 93.2 feet, thence west on a plane to the east curb line of Moniteau avenue, grade elevation 99.6 feet, thence west on a plane to the west curb line of Moniteau avenue, grade elevation 100.00 feet, thence west on a plane 290 feet to a point, grade elevation 102.9 feet, thence west on a plane 40 feet to a point, grade elevation 103.3 feet, thence west on a

plane to the east curb line of Missouri avenue, grade elevation 107.3 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 107.7 feet, thence west on a plane 290 feet to a point, grade elevation 111.3 feet, thence west on a plane 40 feet to a point, grade elevation 110.7 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 106.5 feet.

SEC. 180. The grade of Twenty-third street, between Missouri and Grand avenues, shall be as follows, to-wit: Commencing at the east curb line of Missouri avenue, grade elevation 107.9 feet, thence level to west curb line of Missouri avenue, thence west on a plane 150 feet to a point, grade elevation 112.4 feet, thence west level 140 feet, thence west on a plane 40 feet to a point, grade elevation 112 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 103.2 feet, thence level to the west curb line of Grand avenue.

SEC. 181. The grade of Twenty-fourth street, between Engineer street and Grand avenue, shall be as follows, to-wit: Commencing at the east curb line of New York avenue, grade elevation 41.5 feet, thence level to the west curb line of New York avenue, thence west on a plane 310 feet to a point, grade elevation 37 feet, thence west level 40 feet, thence west on a plane 310 feet to a point, grade elevation 44 feet, thence west on a plane 325 feet, grade elevation 59.6 feet, thence west on a plane to the east curb line of Engineer street, grade elevation 69.6 feet, thence west on a plane to the west curb line of Engineer street, grade elevation 70 feet, thence west on a plane 290 feet to a point, grade elevation 74 feet, thence west on a plane 330 feet to a point, grade elevation 75.8 feet, thence west on a plane 370 feet to a point, grade elevation 78 feet, thence west on a plane 240 feet to a point, grade elevation 82.1 feet, thence west on a plane 30 feet to a point, grade elevation 82.7 feet, thence west on a plane 810 feet to a point, grade elevation 97 feet, thence west level 150 feet, thence west on a plane 40 feet to a point, grade elevation 96.4 feet, thence west on a plane to the east curb line of Ingram avenue, grade elevation 88.2 feet,

thence west on a plane to the west curb line of Ingram avenue, grade elevation 87.8 feet, thence west on a plane 290 feet to a point, grade elevation 78.6 feet, thence west on a plane 40 feet to a point, grade elevation 78 feet, thence west on a plane to the east curb line of Washington avenue, grade elevation 70 feet, thence level to the west curb line of Washington avenue, thence west 290 feet to a point, grade elevation 77.3 feet, thence west on a plane 190 feet, grade elevation 82 feet, thence west on a plane to the S., W. & S. Ry. tracks, grade elevation 89.2 feet, thence west on a plane to the east curb line of Ohio avenue, grade elevation 96.2 feet, thence west on a plane to the west curb line of Ohio avenue, grade elevation 96.8 feet, thence west on a plane to the east curb line of South Ohio avenue, grade elevation 99 feet, thence west on a plane on the west curb line of South Ohio avenue, grade elevation 99.6 feet, thence west on a plane 125 feet to a point, grade elevation 102 feet, thence west level 40 feet, thence west on a plane to the east curb line of Kentucky avenue, grade elevation 97.6 feet, thence west on a plane to the west curb line of Kentucky avenue, grade elevation 97.2 feet, thence west on a plane 290 feet to a point, grade elevation 92 feet, thence west level 40 feet, thence west on a plane 290 feet to a point, grade elevation 92.9 feet, thence west on a plane 40 feet to a point, grade elevation 93.1 feet, thence west on a plane to the east curb line of Missouri avenue, grade elevation 101.7 feet, thence west on a plane to the west curb line of Missouri avenue, grade elevation 102.3 feet, thence west on a plane 150 feet to a point, grade elevation 106 feet, thence west level 140 feet, thence west on a plane 40 feet to a point, grade elevation 105.4 feet, thence west on a plane to the east curb line of Grand avenue, grade elevation 95.3 feet, thence level to the west curb line of Grand avenue.

SEC. 182. The grade of Barrett avenue between Third street and Fifth street shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 52.6 feet, thence south on a plane to the south curb line of Third street, grade elevation 52 feet, thence south on a plane to the



north curb line of Fourth street, grade elevation 44.8, feet thence south on a plane to the south curb line of Fourth street, grade elevation 44.20 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 43 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 43.6 feet.

SEC. 183. The grade of Thompson avenue between Third street and Twelfth street shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 54 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 49 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 46.2 feet, thence level to the south curb line of Fifth street, and also commencing at the north curb line of Broadway street, grade elevation 71.2 feet, thence south on a plane to the south curb line of Broadway street, grade elevation 71.8 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 75.8 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 76.2 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 78.3 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 78.5 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 80.5 feet thence south on a plane to the south curb line of Eleventh street, grade elevation 80.7 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 81.4 feet.

SEC. 184. The grade of Carr avenue, between Third street and Twelfth street, shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 60.5 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 56.2 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 51.8 feet, thence level to the

south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 48 feet, thence level to the south curb line of Sixth street, thence south on a plane 200 feet to a point, grade elevation 54.2 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 63.5 feet, thence level to the south curb line of Broadway, thence south on a plane to the north curb line of Ninth street, grade elevation 69.3 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 69.7 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 74.5 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 79.5 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north curb line of Twelfth street, grade elevation 82 feet.

SEC. 185. The grade of Sneed avenue, between Third street, and Twelfth street, shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 65 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 63.2 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 58.2 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 53 feet, thence level to the south curb line of Sixth street, thence south on a plane to the north curb line of Broadway street, grade elevation 55 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 59.6 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 60 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 66 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 66.40 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 72.8 feet, thence south on a plane to the south curb line of

Eleventh street, grade elevation 73.2 feet, thence south on a plane to the north curb line of Twelfth street, 74.2 feet.

SEC. 186. The grade of Park avenue, between Henry street and Twelfth street, shall be as follows, to-wit: Commencing at the north curb line of Henry street, grade elevation 55 feet, thence level to the south curb line of Henry street, thence south on a plane 200 feet to a point, grade elevation 56 feet, thence level to the south curb line of Johnson street, thence south on a plane to the north curb line of Morgan street, grade elevation 60 feet, thence level to the south curb line of Morgan street, thence south on a plane to the north curb line of Cooper street, grade elevation 68 feet, thence level to the south curb line of Cooper street, thence south on a plane to the north curb line of Pettis street, grade elevation 71 feet, thence level to the south curb line of Pettis street, thence south on a plane to the tracks of the Lexington Branch Ry., grade elevation 70.2 feet, thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 66 feet, thence south on a plane to the north curb line of Main street, grade elevation 62.5 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 65.6 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Wilkerson street, grade elevation 64 feet, thence level to the south curb line of Wilkerson street, thence south on a plane 275 feet to a point, grade elevation 65.5 feet, thence south on a plane to the north curb line of Third street, grade elevation 69 feet, thence south on a plane to the center of Third street, grade elevation 69.34 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, as it runs east of Park avenue, grade elevation 71 feet, thence level to the south curb line of Fourth street, as aforesaid, thence south on a plane to the north curb line of Fifth street, as it runs east of Park avenue, grade elevation 66.30 feet, thence south on a plane to the south curb line of Fifth street, as aforesaid, grade elevation 65.9 feet, thence

south on a plane to the north curb line of Sixth street, as it runs east of Park avenue, grade elevation 63.2 feet, thence south on a plane to the south curb line of Sixth street as aforesaid, grade elevation 62.8 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 60.6 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 60.4 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 58 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 59.9 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 60.1 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 62 feet, thence level to the south curb line of Eleventh street, grade elevation 62 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 63 feet.

SEC. 187. The grade of Stewart avenue, between Henry and Twelfth streets, shall be as follows, to-wit: Commencing at the north curb line of Henry street, grade elevation 43 feet, thence level to the south curb line of Henry street, thence south on a plane to the north curb line of Johnson street, grade elevation 50 feet, thence level to the south curb line of Johnson street, thence south on a plane to the north curb line of Morgan street, grade elevation 61.5 feet, thence level to the south curb line of Morgan street, thence south on a plane to the north curb line of Cooper street, grade elevation 72 feet, thence level to south curb line of Cooper street, thence south on a plane to the north curb line of Pettis street, grade elevation 77 feet, thence level to the south curb line of Pettis street, thence south on a plane to the Lexington Branch Ry. tracks, grade elevation 73.7 feet, thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 71 feet, thence south on a plane to the north curb line of Main street grade elevation 70.4 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 74.8 feet, thence level to the south curb line of Second street, thence

south on a plane to the north curb line of Wilkerson street, grade elevation 73.8 feet, thence level to the south curb line of Wilkerson street, thence south on a plane 275 feet to a point, grade elevation 72.4 feet, thence south on a plane to the north curb line of Third street, grade elevation 74.7 feet, thence level to the south curb line of Third street, and also commencing at the north curb line of Broadway, grade elevation 65.11 feet, thence level to the south curb line of Broadway, thence south on a plane to the north curb line of Ninth street, grade elevation 62 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 63.5 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north curb line of Twelfth street, grade elevation 62.8 feet.

SEC. 188. The grade of Quincy avenue, between Henry street and Twelfth street shall be as follows, to-wit: Commencing at the north curb line of Henry street, grade elevation 41.8 feet, thence level to the south curb line of Henry street, thence south on a plane to the north curb line of Johnson street, grade elevation 51 feet, thence level to the south curb line of Johnson street, thence south on a plane to the north curb line of Morgan street, grade elevation 65 feet, thence level to the south curb line of Morgan street, thence south on a plane to the north curb line of Cooper street, grade elevation 76 feet, thence level to the south curb line of Cooper street, thence south on a plane 200 feet to a point, grade elevation 80 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 81.50 feet, thence level to the south curb line of Pettis street, thence south on a plane 240 feet to a point, grade elevation 80 feet, thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 75 feet, thence south on a plane the north curb line of Main street, grade elevation 79 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 84.6 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Wilkerson street, grade elevation



83.6 feet, thence level to the south curb line of Wilkerson street, thence south on a plane 275 feet to a point, grade elevation 82 feet, thence south on a plane to the north curb line of Third street, grade elevation 83.50 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street grade elevation 84.2 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 87 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 84 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 83.6 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 77.5 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 77.1 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 73.7 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 68 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 71 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 67 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north line of Twelfth street, grade elevation 65 feet.

SEC. 189. The grade of Prospect street, between Henry street and Twelfth street, shall be as follows, to-wit: Commencing at the north curb line of Henry street, grade elevation 55.5 feet; thence level to the south curb line of Henry street, thence south on a plane to the north curb line of Johnson street, grade elevation 58.5 feet, thence level to the south curb line of Johnson street, thence south on a plane to the north curb line of Morgan street, grade elevation 67.00 feet, thence level to the south curb line of Morgan street, thence south on a plane to the north curb line of

Cooper street, grade elevation 78.00 feet, thence level to the south curb line of Cooper street, thence south on a plane to the north curb line of Pettis street, grade elevation 83.00 feet, thence level to the south curb line of Pettis street, thence south level 255 feet, thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 77.00 feet, thence south on a plane to the north curb line of Main street, grade elevation 81.1 feet, thence south on a plane to the south curb line of Main street, grade elevation 81.5 feet, thence south on a plane to the north curb line of Second street, grade elevation 86.00 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Wilkerson street, grade elevation 89.80 feet, thence level to the south curb line of Wilkerson street, thence south on a plane 215 feet to a point, grade elevation 90.8 feet, thence south on a plane to the north curb line of Third street, grade elevation 89.9 feet, thence level to the south curb line of Third street, and also commencing at the north line of Broadway street, grade elevation 79.1 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 78.2 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 77.00 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 80.00 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 71.7 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north curb line of Twelfth street, grade elevation 69 feet.

SEC. 190. The grade of Grand avenue, between Henry street and Twenty-eighth street, shall be as follows, to-wit: Commencing at the north curb line of Henry street, grade elevation 52.40 feet, thence south on a plane to the south curb line of Henry street, grade elevation 52.80 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 56.20 feet, thence south on a plane to the south curb line of Johnson street, grade elevation 56.60 feet, thence south on a

plane to the north curb line of Morgan street, grade elevation 61.50 feet, thence south on a plane to the south curb line of Morgan street, grade elevation 62 feet, thence south on a plane to the north curb line of Cooper street, grade elevation 66.70 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 67.20 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 71.60 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 72 feet, thence south on a plane to a point 75 feet north of the north line of Missouri Pacific Ry. right of way, grade elevation 75 feet, thence south on a plane to the Missouri Pacific Ry. tracks, grade elevation 78.5 feet, thence south on a plane to the north curb line of Main street, grade elevation 75 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 80.9 feet, thence south on a plane to the south curb line of Second street, grade elevation 81.4 feet, thence south on a plane to the north curb line of Wilkerson street, grade elevation 85.40 feet, thence south on a plane to the south curb line of Wilkerson street, grade elevation 85.80 feet, thence south on a plane to the north curb line of Third street, grade elevation 92.3 feet, thence south on a plane to the south curb line of Third street, grade elevation 92.4 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 95.22 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 95.52 feet, thence south on a plane to the north curb line of Fifth street, as it runs east of Grand avenue, grade elevation 98.88 feet, thence south on plane to the south line of aforesaid Fifth street, grade elevation 99.32 feet, thence level to the south curb line of Fifth street, as it runs west of Grand avenue, thence south on a plane 75 feet to a point, grade elevation 98.80 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 96.90 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 96.5 feet, thence south on a plane to the north curb line of

Seventh street, grade elevation 92.4 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 92.2 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 86 feet, thence level to the south curb line of Broadway street, thence south on a plane to north curb line of Ninth street, grade elevation 88 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 84 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 83.6 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 76.4 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 75 feet, thence south on a plane to the north line of Twelfth street, grade elevation 74 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 75.4 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 76 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 82 feet, thence level to the south curb line of Fifteenth street, thence south on a plane to the north curb line of Magnolia avenue, grade elevation 85.6 feet, thence south on a plane to the south curb line of Magnolia avenue, grade elevation 85.8 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 89.3 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 89.7 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 95.2 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 95.8 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 101.4 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 102 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 103.4 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 103.6 feet, thence south on a plane to north curb line of Twentieth street, grade elevation 106.3 feet, thence

south on a plane to the south curb line of Twentieth street, grade elevation 106.7 feet, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 111.4 feet, thence south on a plane 165 feet to a point, grade elevation 112.7 feet, thence south on a plane 40 feet to a point, grade elevation 113 feet, thence south level 150 feet, thence south on a plane 140 feet to a point, grade elevation 112 feet, thence south on a plane 40 feet to a point, grade elevation 111.4 feet, thence south on a plane to the north curb line of Twenty-third street, grade elevation 103.5 feet, thence south on a plane to the south curb line of Twenty-third street, grade elevation 103 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 95.6 feet, thence south on a plane to south curb line of Twenty-fourth street, grade elevation 95 feet, thence south on a plane 290 feet to a point, grade elevation 91.2 feet, thence south on a plane 40 feet to a point, grade elevation 90.6 feet, thence south on a plane 290 feet to a point, grade elevation 87 feet, thence south 40 feet to a point, grade elevation 86.4 feet, thence south 290 feet to a point, grade elevation 85.1 feet, thence south 40 feet to a point, grade elevation 84.9 feet, thence south on a plane to the north curb line of Twenty-eighth street, grade elevation 83.6 feet.

SEC. 191. The grade of Harrison avenue, between Main street and Eighteenth street, shall be as follows, to-wit: Commencing at the north curb line of Main street, grade elevation 77.3 feet, thence level to the south curb line of Main street; thence south on a plane to the north curb line of Second street, grade elevation 78.80 feet; thence level to the south curb line of Second street; thence south on a plane to the north curb line of Wilkerson street, grade elevation 78.3 feet; thence south on a plane to the south curb line of Wilkerson street, grade elevation 78.7 feet; thence south on a plane to the north curb line of Third street, grade elevation 86.9 feet; thence south on a plane to the south curb line of Third street, grade elevation 87.41 feet; thence south level 135 feet; thence south on a plane to the north curb line of Fourth street, grade elevation 89.20 feet;



thence south on a plane to the south curb line of Fourth street, grade elevation 89.60 feet; thence south on a plane to the north curb line of Fifth street, grade elevation 94.40 feet; thence south on a plane to the south curb line of Fifth street, grade elevation 94.70 feet; thence south on a plane to the north curb line of Sixth street, grade elevation 100.2 feet; thence south on a plane to the south curb line of Sixth street, grade elevation 100.6 feet; thence south on a plane to the north curb line of Seventh street, grade elevation 103.4 feet; thence level to the south curb line of Seventh street; thence south on a plane to the north curb line of Broadway street, grade elevation 97.45 feet; thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 95.40 feet; thence south on a plane to the south curb line of Ninth street, grade elevation 95 feet; thence south on a plane to the north curb line of Tenth street, grade elevation 85.80 feet; thence south on a plane to the south curb line of Tenth street, grade elevation 85.40 feet; thence south on a plane to the north curb line of Eleventh street, grade elevation 79.20 feet; thence south on a plane to the south curb line of Eleventh street, grade elevation 78.8 feet; thence south on a plane 150 feet to a point, grade elevation 76.3 feet; thence south on a plane to the north curb line of Thirteenth street, grade elevation 77.3 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation, 77.7 feet; thence south on a plane to the north curb line of Fourteenth street, grade elevation 89.7 feet; thence south on a plane to the south curb line of Fourteenth street, grade elevation 90.3 feet; thence south on a plane to the north curb line of Fifteenth street, grade elevation 94 feet; thence level to the south curb line of Fifteenth street, thence south on a plane to the north curb line of Magnolia avenue, grade elevation 92.5 feet; thence level to the south curb line of Sixteenth street; thence south on a plane to the north curb line of Seventeenth street, grade elevation 102.7 feet; thence south on a plane to the south curb line of Seventeenth street, grade elevation 103.3 feet; thence south on a plane to

the north curb line of Eighteenth street, grade elevation 109.8 feet; thence south on a plane to the south curb line of Eighteenth street, grade elevation 110.2 feet.

SEC. 19. The grade of Missouri avenue, between Clay street and Twenty-fourth street, shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 50 feet; thence level to the south curb line of Clay street; thence south on a plane 200 feet to a point, grade elevation 55 feet; thence south on a plane to the north curb line of Henry street, grade elevation 65.4 feet; thence south on a plane to the south curb line of Henry street, grade elevation 66 feet; thence south on a plane to the north curb line of Johnson street, grade elevation 80.7 feet; thence level to a point 265 feet south of the south line of Morgan street; thence south on a plane to the north curb line of Cooper street, grade elevation 87.2 feet; thence level to a point 170 feet south of the south line of Cooper street; thence south on a plane to the north curb line of Pettis street, grade elevation 84 feet; thence level to the south curb line of Pettis street; thence south on a plane to the north curb line of Jefferson street, grade elevation 79.8 feet; thence south on a plane to the south curb line of Jefferson street, grade elevation 79.4 feet; thence south on a plane to the north curb line of Benton street, grade elevation 78.75 feet; thence level to the south curb line of Benton street; thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 85.7 feet; thence south on a plane to the north curb line of Main street, grade elevation 85 feet; thence level to the south curb line of Main street; thence south on a plane to the north curb line of Second street, grade elevation 90 feet; thence level to the south curb line of Second street; thence south on a plane to the north curb line of Wilkerson street, grade elevation 88.2 feet; thence level to the south curb line of Wilkerson street, thence south on a plane to the north curb line of Third street, grade elevation 88.9 feet; thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 89.15 feet, thence level to the south curb line of Fourth

street, thence south 135 feet to a point, grade elevation 90 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 91.85 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 92.15 feet; thence south on a plane to the north curb line of Sixth street, grade elevation 99.4 feet; thence south on a plane to the south curb line of Sixth street, grade elevation 99.8 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 107.6 feet, thence level to the south curb line of Seventh street, thence level to the north curb line of Broadway street, thence south on a plane to the south curb line of Broadway street, grade elevation 107.47 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 102 feet; thence south on a plane to the south curb line of Ninth street, grade elevation 101.5 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 95.2 feet; thence south on a plane to the south curb line of Tenth street, grade elevation 94.70 feet; thence south on a plane to the north curb line of Eleventh street, grade elevation 89.3 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 88.7 feet, thence south on a plane 150 feet to a point, grade elevation 85 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 82.5 feet, thence level to the south curb line of Thirteenth street, thence south on a plane to the north curb line of Fourteenth street, grade elevation 91.7 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 92.3 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 101.6 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 102 feet, thence south on a plane to the north curb line of Magnolia avenue, grade elevation 104 feet, thence level to the south curb line of Sixteenth street, thence south on a plane to the north curb line of Seventeenth street, grade elevation 106.8 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 107.2 feet, thence south on a plane to the north curb line of Eighteenth street, grade eleva-

tion 112.5 feet, thence level to the south curb line of Nineteenth street, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 111 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 107.5 feet, thence level to the south curb line of Twentieth street, thence south on a plane 290 feet to a point, grade elevation 109.60 feet, thence south on a plane 40 feet to a point, grade elevation 110 feet, thence south on a plane 290 feet to a point, grade elevation 112 feet, thence south level 40 feet, thence south on a plane 135 feet to a point, grade elevation 111 feet, thence south on a plane to the north curb line of Twenty-third street, grade elevation 108.2 feet, thence south on a plane to the south curb line of Twenty-third street, grade elevation 107.6 feet; thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 102 feet.

SEC. 193. The grade of Vermont street, between the Mo. Pacific Ry. right of way and Eighteenth street shall be as follows, to-wit: Commencing at the south line of the Mo. Pacific Ry. right of way, grade elevation 88.4 feet, thence south on a plane to the north curb line of Main street, grade elevation 87.6 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 95 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Wilkerson street, grade elevation 98 feet, thence level to the south curb line of Wilkerson street, thence south on a plane to the north curb line of Third street grade elevation 96 feet, thence south on a plane to the south curb line of Third street, grade elevation 95.80 feet, thence south on a plane to the north curb line of Fourth street grade elevation 95.65 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street grade elevation 91.50 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 97.5 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 97.7 feet,

thence south on a plane to the north curb line of Seventh street, grade elevation 105.74 feet, thence level to the south curb line of Seventh street, thence south on a plane to the north curb line of Broadway street, grade elevation 113.50 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 109 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 108.4 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 103.2 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 102.8 feet, thence south on a plane to the north curb line of Eleventh street grade elevation 95.3 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 94.7 feet, thence south on a plane 150 feet to a point, grade elevation 90 feet, and also commencing at the north curb line of Fourteenth street, grade elevation 93.7 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 94.3 feet, thence south on a plane to the north curb line of Fifteenth street grade elevation 105.7 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 106.3 feet, thence south on a plane to the North curb line of Magnolia avenue, grade elevation 111.9 feet, thence south on a plane to the south curb line of Magnolia avenue, grade elevation 112.1 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 113 feet, thence level to the north curb line of Seventeenth street, thence south on a plane to the south curb line of Seventeenth street, grade elevation 112.6 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 109 feet, thence on a level to the south curb line of Eighteenth street.

SEC. 194. The grade of Moniteau avenue between Clay street and Twentieth street shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 57.2 feet, thence south on a plane to the south curb line of Clay street, grade elevation 57.8 feet, thence south on a plane



to the north curb line of Henry street, grade elevation 78.4 feet, thence south on a plane to the south curb line of Henry street, grade elevation 79 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 94 feet, thence south on a plane to the south curb line of Johnson street, grade elevation 94.3 feet, thence south on a plane to the north curb line of Morgan street, grade elevation 100 feet, thence level to a point 195 feet south of the south line of Morgan street, thence south on a plane to the north curb line of Cooper street, grade elevation 99.7 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 99.3 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 95.2 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 94.8 feet, thence south on a plane to the north curb line of Jefferson street, grade elevation 89.6 feet, thence south on a plane to the south curb line of Jefferson street, grade elevation 89.2 feet, thence south on a plane to the north curb line of Benton street, grade elevation 87 feet, thence level to the south curb line of Benton street, thence south on a plane to the north Mo. Pacific Ry. tracks, grade elevation 91.3 feet, thence south on a plane to the south Mo. Pacific Ry. tracks, grade elevation 91.6 feet, thence south on a plane to the north curb line of Main street, grade elevation 89.3 feet, thence level to the south curb line of Main street, thence south on a plane 165 feet to a point, grade elevation 92 feet, thence south on a plane to the north curb line of Second street, grade elevation 95.80 feet, thence south on a plane to the south curb line of Second street, grade elevation 96.1 feet, thence south on a plane to the north curb line of Wilkerson street, grade elevation 102.65 feet, thence south on a plane to the south curb line of Wilkerson street, grade elevation 102.8 feet, thence south on a plane to the north curb line of Third street, grade elevation 104.65 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 104.48 feet, thence south on a plane to the south curb line of Fourth street, grade

elevation 104.28 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 99.42 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 99.34 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 97.1 feet, thence south on a plane to the south curb line Sixth street, grade elevation 97.5 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 107.9 feet, thence level to the south curb line of Seventh street, thence south on a plane to the north curb line of Broadway street, grade elevation 115.70 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 109.6 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 109 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 102.6 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 102 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 95.2 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 94.7 feet, thence south on a plane to the north line of Twelfth street, grade elevation 91 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 92.8 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 93 feet, thence south on a plane to the north curb line of Fourteenth street, as it now runs west of Moniteau avenue, grade elevation 93.7 feet, thence south on a plane to the south curb line of aforesaid Fourteenth street grade elevation 94.3 feet, thence south on a plane to the north curb line of Fourteenth street, as it runs east of Moniteau avenue, grade elevation 98.2 feet, thence south on a plane to the south curb line of Fourteenth street as it runs east of Moniteau avenue, grade elevation 99 feet, thence south on a plane to the north curb line of Fifteenth street, as it now runs west of Moniteau avenue, grade elevation 103.6 feet, thence south on a plane to the south curb line of aforesaid Fifteenth street, grade elevation 104.4 feet, thence south on a plane to the north curb line

of Fifteenth street as it runs east of Moniteau avenue, grade elevation 108.4 feet, thence south on a plane to the south curb line of Fifteenth street as it runs east of Moniteau avenue, grade elevation 109.2 feet, thence south on a plane to the north curb line of Magnolia avenue, grade elevation 112.8 feet, thence south on a plane to the south curb line of Magnolia avenue, grade elevation 113.2 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 116 feet, thence level to the south curb line of Sixteenth street, thence south on a plane to the north curb line of Seventeenth street, grade elevation 109.8 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 109.2 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 104 feet, thence level to the south curb line of Eighteenth street, thence south on a plane to the M. K. & T. Ry. tracks, grade elevation 108.8 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 102.7 feet, thence level to the south curb line of Nineteenth street, thence south on a plane to the north curb line of Twentieth street, grade elevation 100 feet.

SEC. 195. The grade of Kentucky avenue, between Pacific and Twenty-eighth streets, shall be as follows, to-wit: Commencing at the north curb line of Pacific street, grade elevation 91 feet, thence level to the south curb line of Pacific street, thence south on a plane to the north Mo. Pacific Ry. tracks, grade elevation 96.1 feet, thence south on a plane to the south line of the right of way of the Mo. Pacific Ry. Co., grade elevation 95.3 feet, thence south on a plane to the north curb line of Main street, grade elevation 94.75 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 96.60 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Third street, grade elevation 108.8 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 110.57 feet, thence level to the south curb

line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 106.95 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 106.55 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 101.2 feet, thence level to the south curb line of Sixth street, thence south on a plane 130 feet to a point, grade elevation 102.78 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 106.5 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 106.8 feet, thence south on a plane 140 feet to a point, grade elevation 110 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 116.50 feet, thence south on a plane to the south curb line of Broadway street, grade elevation 117.10 feet, thence south on a level 165 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 115 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 114.6 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 110.2 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 109.8 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 102 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 101.4 feet, thence south on a plane to the north line of Twelfth street, grade elevation 97.4 feet, thence level to the south line of Twelfth street, thence south on a plane to the north curb line of Thirteenth street, grade elevation 102.7 feet, thence level to the south curb line of Thirteenth street, thence south on a plane to the north curb line of Fourteenth street, grade elevation 100 feet, thence level to the south curb line of Fourteenth street, thence south on a plane to the north curb line of Fifteenth street, grade elevation 106.7 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 107.3 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 114.6 feet, thence level to the south curb line of Sixteenth street, thence south on a plane to the

north curb line of Seventeenth street, grade elevation 112 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 111.8 feet, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 110.3 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 103.4 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 103 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 95.2 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 94.8 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 93 feet, thence south on a plane to the south line of Twentieth street, grade elevation 92.8 feet, thence south on a plane 310 feet to a point, grade elevation 91 feet, thence south on a plane 40 feet to a point, grade elevation 91.4 feet, thence south on a plane 290 feet to a point, grade elevation 97.7 feet, thence south on a plane 40 feet to a point, grade elevation 98.3 feet, thence south on a plane 290 feet to a point, grade elevation 102 feet, thence south level 40 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 97.6 feet, thence south on a plane to the south curb line of Twenty-fourth street, grade elevation 97.2 feet, thence south on a plane 310 feet to a point, grade elevation 86.8 feet, thence south on a plane 40 feet to a point, grade elevation 86 feet, thence south on a plane 290 feet to a point, grade elevation 80.6 feet, thence south on a plane 40 feet to a point, grade elevation 79.8 feet, thence south on a plane 290 feet to a point, grade elevation 74.5 feet, thence south on a plane 40 feet to a point, grade elevation 73.7 feet, thence south on a plane to the north curb line of Twenty-eighth street, grade elevation 68.4 feet.

SEC. 196. The grade of Osage avenue between Clay street, and Twentieth street shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 55.8 feet, thence level to the south curb line of Clay street, thence south on a plane to the north curb line of Henry street,



grade elevation 70.6 feet, thence south on a plane to the south curb line of Henry street, grade elevation 71 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 80.5 feet, thence south on a plane to the south curb line of Johnson street, grade elevation 81 feet, thence south on a plane 180 feet to a point, grade elevation 84 feet, thence south on a plane to the north curb line of Morgan street, grade elevation 85 feet, thence level to the south curb line of Morgan street, thence south on a plane to the north curb line of Cooper street, grade elevation 86.2 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 86.6 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 98 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 98.6 feet, thence south on a plane to the north curb line of Jefferson street, grade elevation 99.5 feet, thence level to the south curb line of Jefferson street, thence south on a plane to the north curb line of Pacific street, grade elevation 96.3 feet, thence level 40 feet, and also commencing at the south line of the Mo. Pacific Ry. right of way, grade elevation 98.6 feet, thence south on a plane to the north curb line of Main street, grade elevation 99.5 feet, thence level to the south curb line of Main street, thence south on a plane to the north curb line of Second street, grade elevation 98.60 feet, thence level to the south curb line of Second street, thence south on a plane 135 feet to a point, grade elevation 99.8 feet, thence south on a plane to the north curb line of Third street, grade elevation 106.7 feet, thence south on a plane to the south curb line of Third street, grade elevation 107.6 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 112.75 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 111 feet, thence level to the south curb line of Fifth street, thence south on a plane 135 feet to a point, grade elevation 108 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 107 feet, thence south on a

plane to the south curb line of Sixth street, grade elevation 106.8 feet, thence south on a plane 146½ feet to a point, grade elevation 106 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 107.6 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 107.8 feet, thence south on a plane 130 feet to a point, grade elevation 111 feet, thence south on a plane to the north line of Broadway street, grade elevation 115.4, thence south on a plane to the south curb line of Broadway street, grade elevation 115.9 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 121 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 115 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 114.4 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 106 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 105.6 feet, thence south on a plane to the north line of Twelfth street, grade elevation 104 feet, thence south level 30 feet, thence south on a plane to the north curb line of Thirtieth street, grade elevation 110.5 feet, thence level to the south curb line of Thirtieth street, thence south on a plane to the north curb line of Fourteenth street, grade elevation 108.7 feet, thence level to the south curb line of Fourteenth street, thence south on a plane to the north curb line of Fifteenth street, grade elevation 111.6 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 112 feet, thence south on a plane to the north curb line of Sixteenth street grade elevation 113.1 feet, thence level to the south curb line of Sixteenth street, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 111 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 108.8 feet, thence south on a plane to the south curb line of Seventeenth street grade elevation 108.2 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 101.3 feet, thence south on a plane to the south

curb line of Eighteenth street, grade elevation 100.7 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 95.2 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 94.8 feet, thence south on a plane to the north line of Twentieth street, grade elevation 88.2 feet.

SEC. 197. The grade of Ohio avenue, between Clay street and Twenty-eighth street, shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 58 feet, thence level to the south curb line of Clay street, thence south on a plane to the north curb line of Henry street, grade elevation 64.1 feet, thence south on a plane to the south curb line of Henry street, grade elevation 64.7 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 70.9 feet, thence south on a plane to the south curb line of Johnson street, grade elevation 71.5 feet, thence south on a plane to the north curb line of Morgan street, grade elevation 77.7 feet, thence south on a plane to the south curb line of Morgan street, grade elevation 78.3 feet, thence south on a plane to the north curb line of Cooper street, grade elevation 88.6 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 89 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 101 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 101.5 feet, thence south on a plane to the north curb line of Jefferson street, grade elevation 104.4 feet, thence level to the south curb line of Jefferson street, thence south on a plane to the north curb line of Pacific street, grade elevation 101.6 feet, thence south on a plane to the south curb line of Pacific street, grade elevation 101.2 feet, thence south on a plane to the Missouri Pacific Ry. tracks, grade elevation 100.2 feet, thence level to the south right of way of the Mo. Pacific Ry. Co., thence south on a plane 25 feet to a point, grade elevation 102 feet, thence south on a plane to the north curb line of Main street, grade elevation 105.85 feet, thence level to the south curb line of Main street, thence south on a plane to the north

curb line of Second street, grade elevation 103.2 feet, thence south on a plane to the south curb line of Second street, grade elevation 102.7 feet, thence south on a plane 140 feet to a point, grade elevation 101.8 feet, thence south on a plane to the north curb line of Third street, grade elevation 106 feet, thence south on a plane to the south curb line of Third street, grade elevation 107.2 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 113.4 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 114 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 115.45 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 113.5 feet, thence level to the south curb line of Sixth street, thence south on a plane to the north curb line of Seventh street, grade elevation 112.95 feet, thence level to the south curb line of Seventh street, thence south on a plane to the north curb line of Broadway street, grade elevation 116.4 feet, thence south on a plane to the south curb line of Broadway street, grade elevation 117 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 122.4 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 119.3 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 118.9 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 113 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 112.8 feet, thence south on a plane to the north line of Twelfth street, grade elevation 111 feet, thence south on a plane to the south line of Twelfth street, grade elevation 111.3 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 115 feet, thence level to the south curb line of Thirteenth street, thence south on a plane to the north curb line of Fourteenth street, grade elevation 112 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 111.6 feet, thence south on a plane to the north curb line of

Fifteenth street, grade elevation 109.5 feet, thence level to the south curb line of Fifteenth street, thence south on a plane to the M. K. & T. Ry. tracks, grade elevation 111.1 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 109.6 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 109 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 107.8 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 107.6 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 106 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 105.6 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 100.7 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 100.1 feet, thence south on a plane to the north line of Twentieth street, grade elevation 90.6 feet, thence south on a plane to the south line of Twentieth street, grade elevation 89.8 feet, thence south on a plane 310 feet to a point, grade elevation 84 feet, thence south level 40 feet, thence south on a plane 290 feet to a point, grade elevation 88.4 feet, thence south on a plane 40 feet to a point, grade elevation 89 feet, thence south on a plane 290 feet to a point, grade elevation 95.5 feet, thence south on a plane 40 feet to a point, grade elevation 95.7 feet, thence south on a plane 145 feet to a point, grade elevation 96.5 feet, thence level to the south curb line of Twenty-fourth street; and also commencing at the south curb line of Twenty-fourth street, grade elevation 99.3 feet, thence south on a plane 145 feet to a point, grade elevation 100 feet, thence south on a level 145 feet, thence south on a plane to the north curb line of Twenty-eighth street, grade elevation 88.4 feet.

SEC. 198. The grade of Lamine avenue, between Clay street and Twentieth street, shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 60 feet, thence south on a level 225 feet, thence south on a plane to the north curb line of Henry street, grade elevation 67 feet,



thence south on a plane to the south curb line of Henry street, grade elevation 67.6 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 77.8 feet, thence south on a a plane to the south curb line of Johnson street, grade elevation 78.2 feet, thence south on a plane to the north curb line of Morgan street, grade elevation 85 feet, thence south on a plane to the south curb line of Morgan street, grade elevation 85.6 feet, thence south on a plane 195 feet to a point, grade elevation 89 feet, thence south on a plane to the north curb line of Cooper street, grade elevation 95 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 95.5 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 107 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 107.5 feet, thence south on a plane to the north curb line of Jefferson street, grade elevation 109.85 feet, thence level to the south curb line of Jefferson street, thence south on a plane the north curb line of St. Louis street, grade elevation 108 feet, thence south on a plane to the south curb line of St. Louis street, grade elevation 107.5 feet, thence south on a plane to the Mo. Pacific Railway tracks, grade elevation 102.9 feet, and also commencing at the south line of the Mo. Pacific Railway company's right of way, grade elevation 104 feet, thence south on a plane to the north curb line of Main street, grade elevation 110.4 feet, thence south on a plane to the south curb line of Main street, grade elevation 111 feet, thence south on a plane 125 feet to a point, grade elevation 110.4 feet, thence south on a plane to the north curb line of Second street, grade elevation 109 feet, thence level to the south curb line of Second street, thence south on a plane 140 feet to a point, grade elevation 107.3 feet, thence south on a plane to the north curb line of Third street, grade elevation 108.3 feet, thence level to the south curb line of Third street, thence south on a plane 130 feet to a point, grade elevation 109.2 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 112.2 feet, thence south on a plane to the south curb line of Fourth

street, grade elevation 113.3 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 117.4 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 119.4 feet, thence level to the south curb line of Sixth street, thence south on a plane to the north curb line of Seventh street, grade elevation 117.6 feet, thence level to the south curb line of Seventh street, thence south on a plane 130 feet to a point, grade elevation 118.2 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 120.5 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 124 feet, thence level to the south curb line of Ninth street, thence south on a plane to the north curb line of Tenth street, grade elevation 121.8 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 116.7 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 116.3 feet, thence level to the south curb line of Thirteenth street, thence south on a plane to the north curb line of Fourteenth street, grade elevation 112 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 111.6 feet, thence south on a plane to the M., K. & T. Railway tracks, grade elevation 114 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 105.9 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 105.1 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 100.5 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 100.1 feet, thence level to the south curb line of Eighteenth street, thence south on a plane the north curb line of Nineteenth street, grade elevation 97.9 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 97.5 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 91.9 feet.

SEC. 199. The grade of Massachusetts avenue, between Main street and Thirteenth street, shall be as follows, to-wit: Commencing at the north curb line of Main street grade elevation 114.9 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Third street, grade elevation 112.6 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 112 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street grade elevation 118.2 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 118.4 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 123.4 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 123.6 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 124.3 feet, thence level to the south curb line of Seventh street, thence south on a plane to the north curb line of Broadway street, grade elevation 125.4 feet, thence level to the south curb line of Broadway street, thence south on a plane 165 feet to a point, grade elevation 127 feet, thence level to the north curb line of Ninth street, thence south on a plane to the south curb line of Ninth street, grade elevation 126.4 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 123.2 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 123 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 121.2 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 121 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 117.4 feet.

SEC. 200. The grade of Washington avenue between Clay street and Twenty-eighth street shall be as follows, to-wit: Commencing at the north curb line of Clay street, grade elevation 80.5 feet, thence south on a plane to the south curb line of Clay street, grade elevation 80 feet, thence south on a plane to the north curb line of Henry street, grade elevation 66.7 feet,

thence level to the south curb line of Henry street thence south on a plane 185 feet to a point, grade elevation 68 feet, thence south on a plane to the north curb line of Johnson street, grade elevation 73.5 feet, thence south on a plane to the south curb line of Johnson street, grade elevation 74 feet thence south on a plane to the north curb line of Morgan street, grade elevation 81.4 feet, thence south on a plane to the south curb line of Morgan street, grade elevation 82 feet, thence south on a plane to the north curb line of Cooper street, grade elevation 94.5 feet, thence south on a plane to the south curb line of Cooper street, grade elevation 95.1 feet, thence south on a plane to the north curb line of Pettis street, grade elevation 107 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 107.5 feet, thence south on a plane to the north curb line of Jefferson street, grade elevation 112.6 feet, thence level to the south curb line of Jefferson street, thence south on a plane to the north curb line of St. Louis street, grade elevation 111.8 feet, thence south on a plane to the south curb line of St. Louis street, grade elevation, 111.4 feet, thence south on a plane to the Missouri Pacific Ry. tracks, grade elevation 107.7 thence south level 50 feet, thence south on a plane to the north curb line of Main street, grade elevation 116 feet, thence south on a plane to the south curb line of Main street, grade elevation 118 feet, thence south on a plane to the north curb line of Second street, grade elevation 119.80 feet, thence south level to the south curb line of Second street, thence south on a plane to the north curb line of Third street, grade elevation 118.3 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 117 5 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 120.4 feet, thence south on plane to the south curb line of Fifth street, grade elevation 120.8 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 125.3 feet, thence south on a plane to the south curb line of Sixth street, grade elevation

125.7 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 127 feet, thence level to the south curb line of Seventh street, thence south on a plane to the north curb line of Broadway street, grade elevation 126.3 feet, thence level to the south curb line of Broadway street, thence south on a plane 305 feet to a point, grade elevation 125.6 feet, thence south on a plane 40 feet to a point, grade elevation 125.4 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 123.1 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 122.9 feet, thence south on a plane 90 feet to a point, grade elevation 122.6 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 121.2 feet, thence south on plane to the south curb line of Eleventh street, grade elevation 121 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 120.1 thence south on a plane to the south curb line of Twelfth street, grade elevation 119.9 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 117.6 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 117.4 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 115.4 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 115 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 110.7 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 110.1 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 103.6 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 103 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 97.4 feet, thence south on a plane to the south curb line of Seventeenth street grade elevation 96.6 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 90.3 feet, thence south on a plane to the south curb line of Eighteenth street grade elevation 89.7



feet, thence south on a plane 290 feet to a point, grade elevation 85 feet, thence south level 40 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 88 feet, thence south level 40 feet, thence south on a plane 290 feet to a point, grade elevation 86.6 feet, thence south on a plane 40 feet to a point, grade elevation 86.4 feet, thence south on a plane 290 feet to a point, grade elevation 82.6 feet, thence south on a plane 40 feet to a point, grade elevation 82 feet, thence south on a plane 290 feet to a point, grade elevation 75 feet, thence south on a plane 40 feet to a point, grade elevation 74.6 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 70 feet, thence south on a level 40 feet, thence south on a plane 950 feet to a point, grade elevation 65.5 feet, thence south level 40 feet, thence south on a plane to the north curb line of Twenty-eighth street, grade elevation 66.5 feet.

SEC. 201. The grade of Lafayette avenue, between Third street, and Seventeenth street, shall be as follows, to-wit: Commencing at the south curb line of Third street, grade elevation 116.6 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 117.4 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 117.6 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 120.45 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 123 feet, thence level to the south curb line of Sixth street, thence south on a plane to the north curb line of Seventh street, grade elevation 121.7 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 121.5 feet, thence level to the north curb line of Broadway street, and also commencing at the north curb line of Tenth street, grade elevation 120 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 117 feet, thence south on a plane to the south curb line of

Eleventh street, grade elevation 116.4 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 115 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 114.6 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 112.4 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 112 2 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 110 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 109.6 feet, thence south on a plane to the north curb line of Fifteenth street grade elevation 104.2 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 103.8 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 98.6 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 98.2 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 94.2 feet.

SEC. 202. The grade of Mill street, between Pettis street and Third street, shall be as follows, to-wit: Commencing at the north curb line of Pettis street, grade elevation 100 feet, thence south on a plane to the south curb line of Pettis street, grade elevation 100.5 feet, thence south on a plane to the north curb line of St. Louis street, grade elevation 102.2 feet, thence south on a plane to the south line of St. Louis street, grade elevation 102.6 feet, thence south on a plane to the Mo. Pacific Ry. tracks, grade elevation 107.6 feet, and also commencing at the south curb line of Main street, grade elevation 109.5 feet, thence south on a plane 190 feet to a point, grade elevation 109. feet, thence south on a plane to the north curb line of Second street, grade elevation 110 feet, thence level to the south curb line of Second street, thence south on a plane to the north curb line of Third street, grade elevation 111.75 feet.

SEC. 203. The grade of Ingram avenue, between Broadway street and Twenty-eighth street shall be as follows, to-wit:

Commencing at the north curb line of Broadway street, grade elevation 111.2 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 112.9 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 113.1 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 116.8 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 117.2 feet, thence south level 130 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 115.2 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 114.8 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 112.6 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 112.2 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 107.4 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 107 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 103.2 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 102.8 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 101.6 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 101.4 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 100.2 feet, thence level to the south curb line of Sixteenth street, thence south on a plane to the north curb line of Seventeenth street, grade elevation 101.9 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 102.1 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 103.9 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 104.1 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 107.2 feet, thence level to the south curb line of Nineteenth street, thence level 145 feet, thence south on a plane to the north curb line of Twentieth

street, grade elevation 105.2 feet, thence south on a plane to the south curb line of Twentieth street, grade elevation 104.8 feet, thence south on a plane 290 feet to a point, grade elevation 96.6 feet, thence south on a plane 40 feet to a point, grade elevation 96 feet, thence south on a plane 290 feet to a point, grade elevation 91 feet, thence south level 40 feet, thence south on a plane 290 feet to a point, grade elevation 92.5 feet, thence south level 40 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 88.3 feet, thence south on a plane to the south curb line of Twenty-fourth street, grade elevation 87.7 feet, thence south on a plane 290 feet to a point, grade elevation 85 feet, thence south level 40 feet, thence south on a plane to the north curb line of Twenty-eighth street, grade elevation 78.1 feet.

SEC. 204. The grade of Thomson street, between Third street and Nineteenth street, shall be as follows, to wit: Commencing at the south curb line of Third street, grade elevation 110.3 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 111.1 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 111.5 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 115.8 feet, and also commencing at the north curb line of Broadway street, grade elevation 104 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 105.4 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 105.6 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 110.7 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 109.4 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north curb line of Twelfth street, grade elevation 111.2 feet, thence level to the south curb line of Twelfth street, and also commencing at the south curb line of Thirteenth street, grade elevation 112.7 feet, thence south on a plane to the north curb line of Fourteenth

street, grade elevation 110 feet, thence level to the south curb line of Fourteenth street, thence south on a plane to the north curb line of Fifteenth street, grade elevation 111.5 feet, thence level to the south curb line of Fifteenth street, and also commencing at the south curb line of Sixteenth street, grade elevation 109.5 feet, thence level to the north curb line of Seventeenth street, and also commencing at the south curb line of Eighteenth street, grade elevation 107.9 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 106.7 feet.

SEC. 205. The grade of the street running north and south, between Thomson avenue and Hancock avenue, and Thirteenth street and Nineteenth street, shall be as follows, to-wit: Commencing at the south curb line of Thirteenth street, grade elevation 109 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 113 feet, thence level to the south curb line of Fourteenth street, thence south on a plane to the north curb line of Fifteenth street, grade elevation 110.3 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 109.7 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 103.2 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 102.8 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 98 feet, and also commencing at the south curb line of Eighteenth street, grade elevation 98 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 96 feet.

SEC. 206. The grade of Hancock avenue, between Third street and Nineteenth street, shall be as follows, to wit: Commencing at the south curb line of Third street, grade elevation 117 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 118.4 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 117 feet, thence level to the south curb line of Fifth street, thence south on a plane 276 1-2 feet to a point, grade elevation 113.2 feet, thence



south on a plane 40 feet to a point, grade elevation 112.8 feet, thence south on a plane 125 feet to a point, grade elevation 111.8 feet, thence south on a plane 40 feet to a point, grade elevation 111.4 feet, thence south on a plane 275 feet to a point, grade elevation 107.6 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 102.80 feet, thence south on a plane to the south curb line of Broadway street, grade elevation 102.2 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 91.7 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 91.3 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 92.6 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 93.2 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 96.4 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 96.8 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 99.8 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 100.2 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 113.3 feet, thence level to the south curb line of Thirteenth street, and also commencing at the south curb line of Fourteenth street, grade elevation 107.9 feet, thence south level 150 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 107 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 106.6 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 97.2 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 96.8 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 87.4 feet, and also commencing at the south curb line of Eighteenth street, grade elevation 87 feet, thence level to the north curb line of Nineteenth street.

SEC 207. The grade of Marvin street, between Third and Twentieth streets, shall be as follows, to-wit: Commenc-

ing at the north curb line of Third street, grade elevation 115 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 116.4 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 114.5 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 114.3 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 107.5 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 107.3 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 105.2 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 104.8 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 102.7 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 97.3 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 96.7 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 89.4 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 88.6 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 83 feet, thence level to the south curb line of Eleventh street, thence south on a plane to the north curb line of Twelfth street, grade elevation 86.8 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 87.2 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 93.8 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 94.2 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 99.5 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 99.7 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 105 feet, thence level to the south curb line of Fifteenth street, thence south on a plane to the north curb line of Sixteenth street, grade elevation 99.3 feet, thence

south on a plane to the south curb line of Sixteenth street, grade elevation 98.7 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 89.5 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 88.9 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 79.4 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 78.6 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 76.2 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 75.8 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 72.7 feet.

SEC. 208. The grade of Montgomery street, between Third street and Twentieth street, shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 116.80 feet, thence level to the south curb line of Third street, thence south on a plane to the north curb line of Fourth street, grade elevation 118 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 117.2 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 117 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 108.9 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 108.3 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 99.8 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 99.2 feet, thence south on a plane 135 feet to a point, grade elevation 96 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 94 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 89.9 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 89.5 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 87.5 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 87.3 feet, thence south

on a plane to the north curb line of Eleventh street, grade elevation 80.6 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 80.4 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 79 feet, thence level to the south curb line of Twelfth street, thence south on a plane to the north curb line of Thirteenth street, grade elevation 85.2 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 85.6 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 92.3 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 92.7 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 98 feet, thence level to the south curb line of Fifteenth street, thence south level 145 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 97 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 96.4 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 88.6 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 88 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 80.8 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 80.2 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 74.6 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 74 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 68.4 feet.

SEC. 209. The grade of Brown street between Third street and Twentieth street, shall be as follows, to-wit: Commencing at the south curb line of Third street, grade elevation 118.1 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 119.5 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 117.4 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 117 feet, thence south on a plane to the north

curb line of Sixth street, grade elevation 108.9 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 108.3 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 99.3 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 98.7 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 93 feet, thence level to the south curb line of Broadway street, and also commencing at the north curb line of Twelfth street, grade elevation 75.6 feet, thence level to the south curb line of Twelfth street, thence south on a plane to the north curb line of Thirteenth street, grade elevation 77.3 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 77.7 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 81 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 81.6 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 87.3 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 87.7 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 93.2 feet, thence level to the south curb line of Sixteenth street, thence south level 150 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 90.2 feet, thence south on a plane to the south curb line of Seventeenth street, grade elevation 89.8 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 83 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 82.6 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 76.3 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 75.7 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 67.3 feet.

SEC. 210. The grade of Summit street between Third street and Twentieth street, shall be as follows, to-wit: Commencing at the south curb line of Third street, grade elevation



116.3 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 114.7 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 115.5 feet, thence level to the south curb line of Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 111.7 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 111.3 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 106.9 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 106.5 feet, thence south on a plane to the North curb line of Broadway street, grade elevation 102.7 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 96.3 feet, thence south on a plane to the south curb line of Ninth street grade elevation 95.7 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 91.7 feet; thence south on a plane to the south curb line of Tenth street, grade elevation 91.4 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 83.1 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 82.7 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 78.9 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 78.3 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 72.2 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 71.8 feet, thence south on a plane 145 feet to a point, grade elevation 71 feet, thence level to the south curb line of Fourteenth street, thence south on a plane to the north curb line of Fifteenth street, grade elevation 76.7 feet, thence south on a plane to the south curb line of Fifteenth street, grade elevation 77.3 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 82.8 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 83.2 feet, thence south on a plane to the

north curb line of Seventeenth street, grade elevation 87.7 feet, thence level to the south curb line of Seventeenth street, thence south on a plane to the north curb line of Eighteenth street, grade elevation 86.3 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 85.7 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 78.3 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 77.7 feet, thence south on a plane to the north curb line of Twentieth street, grade elevation 69.7 feet.

SEC. 211. The grade of Engineer street, between Tower avenue and Twenety-fourth street, shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 111.8 feet, thence south on a plane to the south curb line of Tower avenue, grade elevation 111.2 feet, thence south on a plane to the north curb line of Jackson avenue, grade elevation 103.5 feet, thence south on a plane to the south curb line of Jackson avenue, grade elevation 103.1 feet, thence south on a plane to the north curb line of Walnut street, grade elevation 100.2 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 99.8 feet, thence south on a plane to the north curb line of Chestnut street, grade elevation 96.9 feet, thence south on a plane to the south curb line of Chestnut street, grade elevation 96.5 feet, thence south on a plane 150 feet to a point, grade elevation 95 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 98 feet, thence south on a plane to the south curb line of Boonville street, grade elevation 98.5 feet, thence south on a plane to the north curb line of Saline street, grade elevation 105.4 feet, thence south on a plane to the south curb line of Saline street, grade elevation 106 feet, thence south on a plane to the north curb line of Howard street, grade elevation 115.72 feet, thence level to the south curb line of Howard street; and also commencing at the M., K. & T. Ry. tracks, grade elevation 115.1 feet, thence south on a plane to the north curb line of Third street, grade elevation 113.7 feet, thence

south on a plane to the south curb line of Third street, grade elevation 113.5 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 109 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 108.6 feet, thence level to the north curb line of Sixth street, thence south on a plane to the south curb line of Sixth street, grade elevation 108.4 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 106.9 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 106.7 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 108 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 104 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 103.6 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 99.2, thence south on a plane to the south curb line of Tenth street, grade elevation 98.8 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 89.2 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 88.8 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 84.5 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 83.9 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 76.4 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 76 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 69 feet, thence south on a plane to the south curb line of Fourteenth street, grade elevation 68.8 feet, thence south on a plane to the north curb line of Fifteenth street, grade elevation 67 feet, thence level to the south curb line of Fifteenth street, thence south on a plane to the north curb line of Sixteenth street, grade elevation 71.4 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 72 feet, thence south on a plane to the north curb line of Seventeenth street, grade elevation 76.4 feet,

thence south on a plane to the south curb line of Seventeenth street, grade elevation 77 feet, thence south on a plane to the north curb line of Eighteenth street, grade elevation 81.4 feet, thence south on a plane to the south curb line of Eighteenth street, grade elevation 82 feet, thence south level 150 feet, thence south on a plane to the north curb line of Nineteenth street, grade elevation 80.3 feet, thence south on a plane to the south curb line of Nineteenth street, grade elevation 79.7 feet, thence south on a plane to north curb line of Twentieth street, grade elevation 72.3 feet, thence south on a plane to the south curb line of Twentieth street, grade elevation 71.7 feet, thence south on a plane 620 feet to a point, grade elevation 57 feet, thence south on a plane 190 feet, grade elevation 55 feet, thence south on a plane 320 feet to a point, grade elevation 69 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 69.80 feet.

SEC. 212. The grade of Wagner street, between Third street and Fourteenth street, shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 111.8 feet, thence south on a plane to the south curb line of Third street, grade elevation 111.2 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 106.5 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 105.9 feet, thence south on a plane to the north curb line of Fifth street, grade elevation 100.4 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 100 feet, thence south on a plane to the north curb line of Sixth street, grade elevation 98.2 feet, thence south on a plane to the south curb line of Sixth street, grade elevation 98 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 96.1 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 95.7 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 94 feet, thence south level to the north curb line of Eleventh street, thence south on a plane to the south curb line of Eleventh street, grade elevation 93.6

feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 90.3 feet, thence south on a plane to the south curb line of Twelfth street, grade elevation 89.7 feet, thence south on a plane to the north curb line of Thirteenth street, grade elevation 83.6 feet, thence south on a plane to the south curb line of Thirteenth street, grade elevation 83 feet, thence south on a plane to the north curb line of Fourteenth street, grade elevation 73.50 feet.

SEC. 213. The grade of Hurley street, between Saline street and Howard street, shall be as follows, to-wit: Commencing at the north curb line of Saline street, grade elevation 108.4 feet, thence south on a plane to the south curb line of Saline street, grade elevation 108.8 feet, thence south on a plane to the north curb line of Howard street, grade elevation 116.4 feet, thence level to the south curb line of Howard street.

SEC. 214. The grade of Hill street, between Tower avenue and Howard street, shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 118.8 feet, thence level to the south curb line of Tower avenue, thence south on a plane to the north curb line of Jackson street, grade elevation 115 feet, thence level to the north curb line of Walnut street, thence south on a plane to the south curb line of Walnut street, grade elevation 114.4 feet, thence south on a plane to the north curb line of Chestnut street, grade elevation 105.3 feet, thence south on a plane to the south curb line of Chestnut street, grade elevation 104.7 feet, thence south on a plane 145 feet to a point, grade elevation 102 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 103.3 feet, thence south on a plane to the south curb line of Boonville street, grade elevation 104 feet, thence south on a plane to the north curb line of Saline street, grade elevation 111 feet, thence south on a plane to the south curb line of Saline street, grade elevation 111.6 feet, thence south on a plane to the north curb line of Howard street, grade elevation 117.8 feet, thence level to the south curb line of Howard street.



SEC. 215. The grade of Center street, between Third street and Twelfth street, shall be as follows, to-wit: Commencing at the north curb line of Third street, grade elevation 106.3 feet, thence south on a plane to the south curb line of Third street, grade elevation 105.7 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 101.3 feet, thence south on a plane to the south curb line of Fourth street, grade elevation 100.7 feet, thence south on a plane to the north curb line of Fifth street, as it now runs east of Center street, grade elevation 99.2 feet, thence south on a plane to the south curb line of Fifth street, as it runs west of Center street, grade elevation 95.4 feet, thence south on a plane to the north curb line of Sixth street, as it runs west of Center street, grade elevation 91.6 feet, thence south on a plane to the south curb line of aforesaid Sixth street, grade elevation 91 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 87.1 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 86.5 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 84.8 feet, thence south on a plane to the south curb line of Broadway street, grade elevation 84.6 feet, thence south on a plane to the north curb line of Ninth street, grade elevation 93 feet, thence level to the south curb line of Tenth street, thence south on a plane to the north curb line of Eleventh street, grade elevation 85.6 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 86 feet, thence level to the north curb line of Twelfth street.

SEC. 216. The grade of Randolph street, between Saline street and Howard street, shall be as follows, to-wit: Commencing at the north curb line of Saline street, grade elevation 114 feet, thence level to the south curb line of Saline street, thence south on a plane to the north curb line of Howard street, grade elevation 119.3 feet, thence level to the south curb line of Howard street.

SEC. 217. The grade of Porter street, between a point 106<sup>1</sup>/<sub>2</sub> feet north of the north line of Seventh street and

Twelfth street, shall be as follows, to-wit: Commencing at a point 106½ feet north of the north line of Seventh street, grade elevation 98 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 95.4 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 95 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 88.5 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 82.3 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 81.7 feet, thence south on a plane to the north curb line of Tenth street, grade elevation 77.2 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 76.8 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 77 feet, thence level to the north curb line of Twelfth street.

SEC. 218. The grade of New York avenue, between Tower avenue and Twenty-fourth street, shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 128 feet, thence south on a plane to the south curb line of Tower avenue, grade elevation 127.7 feet, thence south on a plane to the north curb line of Jackson avenue, grade elevation 122.4 feet, thence south on a plane to the south curb line of Jackson avenue, grade elevation 122 feet, thence south on a plane to the north curb line of Walnut street, grade elevation 120.1 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 119.7 feet, thence south on a plane to the north curb line of Chestnut street, grade elevation 117.8 feet, thence south on a plane to the south curb line of Chestnut street, grade elevation 117.4 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 116.2 feet, thence level to the south curb line of Boonville street, thence south on a plane to the north curb line of Saline street, grade elevation 122 feet, thence level to the south curb line of Howard street, and also commencing at the south curb line of Third street, grade elevation 108 feet, thence south on a plane

to the north curb line of Fourth street, grade elevation 110 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, as it runs west of New York avenue, grade elevation 107.8 feet, thence level to the south curb line of aforesaid Fifth street, thence south on a plane to the north curb line of Sixth street, grade elevation 109.5 feet, thence level to the south curb line of Sixth street, thence south level 145 feet, thence south on a plane 180 feet to a point, grade elevation 107.4 feet, thence south on a plane to the north curb line of Seventh street, grade elevation 105.6 feet, thence south on a plane to the south curb line of Seventh street, grade elevation 105.2 feet, thence south on a plane to the north curb line of Broadway street, grade elevation 101 feet, thence level to the south curb line of Broadway street, thence south on a plane to the north curb line of Ninth street, grade elevation 93 feet, thence south on a plane to the south curb line of Ninth street, grade elevation 92.4 feet, thence south on a plane to the north curb line of Tenth street grade elevation 95 feet, thence south on a plane to the south curb line of Tenth street, grade elevation 84.6 feet, thence south on a plane to the north curb line of Eleventh street, grade elevation 77.2 feet, thence south on a plane to the south curb line of Eleventh street, grade elevation 76.8 feet, thence south on a plane to the north curb line of Twelfth street, grade elevation 73.7 feet, thence south on a plane to the south line of Twelfth street, grade elevation 72.7 feet, thence south on a plane 310 feet to a point, grade elevation 68.6 feet, thence south on a plane, 330 feet to a point, grade elevation 64 feet, thence south on a plane 330 feet to a point, grade elevation 61.5 feet, thence south level 40 feet, thence south on a plane to the north curb line of Sixteenth street, grade elevation 63.4 feet, thence south on a plane to the south curb line of Sixteenth street, grade elevation 63.6 feet, thence south on a plane 290 feet to a point, grade elevation 65 feet, thence south level 370 feet, thence south on a plane 290 feet to a point, grade elevation 63.6 feet, thence south on a plane 40 feet to a point, grade elevation 63 feet,

thence south on a plane 290 feet to a point, grade elevation 56.8 feet, thence south on a plane 40 feet to a point, grade elevation 56.2, thence south on a plane 330 feet to a point, grade elevation 51 feet, thence south on a plane 290 feet to a point, grade elevation 48 feet, thence south on a plane 330 feet to a point, grade elevation 46 feet, thence south on a plane to the north curb line of Twenty-fourth street, grade elevation 41.8 feet, thence south on a plane to the south curb line of Twenty-fourth street, grade elevation 41.2 feet.

SEC. 219. The grade of Western avenue, between Tower avenue, and Walnut street shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 129.5 feet, thence level to the south curb line of Tower avenue, thence south on a plane to the north curb line of Jackson street, grade elevation 127 feet, thence south on a plane to the south curb line of Jackson street grade elevation 126.6 feet, thence south on a plane to the north curb line of Walnut street, grade elevation 124 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 123.6 feet.

SEC. 220. The grade of Emmet street, between Tower avenue and a point 120 feet south of the south line of Fifth street, shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 128.2 feet, thence level to the south curb line of Tower avenue, thence south on a plane to the north curb line of Jackson street, grade elevation 129 feet, thence level to the south curb line of Jackson street, thence south on a plane to the north curb line of Walnut street, grade elevation 125.1 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 124.5 feet, thence south on a plane to the north curb line of Chestnut street, grade elevation 120.5 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 121.30 feet, thence level to the south curb line of Boonville street, thence south on a plane to the north curb line of Saline street, grade elevation 120.5 feet, thence level to the south curb line of Saline

street, thence south on a plane to the north curb line of Howard street, grade elevation 117.2 feet, thence south on a plane to the south curb line of Howard street, grade elevation 115.8 feet, thence south on a plane 170 feet to a point, grade elevation 115.8 feet, thence south on a plane to the north curb line of Harvey street, grade elevation 116.6 feet, thence south on a plane to the south curb line of Harvey street, grade elevation 116.8 feet, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 118 feet, and also commencing 120 feet north of the north line of Fourth street, grade elevation 118.8 feet, thence south on a plane to the north curb line of Fourth street, grade elevation 119.6 feet, thence level to the south curb line of Fourth street, thence south on a plane to the north curb line of Fifth street, grade elevation 118.2 feet, thence south on a plane to the south curb line of Fifth street, grade elevation 118 feet, thence south on a plane 120 feet to a point, grade elevation 115 feet.

SEC. 221. The grade of Eastern avenue, between Jackson street and Walnut street, shall be as follows, to-wit: Commencing at the north curb line of Jackson street, grade elevation 126.4 feet, thence south on a plane to the south curb line of Jackson street, grade elevation 126 feet, thence south on a plane to the north curb line of Walnut street, grade elevation 122.8 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 122.3 feet.

SEC. 222. The grade of Depp avenue, between Tower avenue and Linn street, shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 120 feet, thence level to the south curb line of Tower avenue, thence south on a plane to the north curb line of Jackson street, grade elevation 123.5 feet, thence level to the south curb line of Jackson street, thence south on a plane to the north curb line of Walnut street, grade elevation 120.7 feet, thence south on a plane to the south curb line of Walnut street, grade elevation 120.3 feet, thence south on a plane to the north curb line of Chestnut street, grade elevation 116.3 feet, thence south on a



plane to the south curb line of Chestnut street, grade elevation 115.7 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 109.5 feet, thence level to the south curb line of Boonville street, thence south on a plane to the north curb line of Saline street, grade elevation 111.3 feet, thence level to the south curb line of Saline street, thence south on a plane to the north curb line of Howard street, grade elevation 107.5 feet, thence level to the south curb line of Howard street, thence south on a plane to the north curb line of Harvey street, grade elevation 113.7 feet, thence south on a plane to the south curb line of Harvey street, grade elevation 114.3 feet, thence south on a plane to the M., K. & T. Ry. tracks, grade elevation 115.3 feet, thence south on a plane to the north curb line of Linn street, grade elevation 117 feet.

SEC. 223. The grade of Heard avenue, between Tower avenue and Linn street shall be as follows, to-wit: Commencing at the north curb line of Tower avenue, grade elevation 117.7 feet, thence south on a plane to the south curb line of Tower avenue grade elevation 118.3 feet, thence south on a plane to the north curb line of Jackson street, grade elevation 119.9 feet, thence south on a plane to the south curb line of Jackson street, grade elevation 120.1 feet, thence south on a plane to the north curb line of Walnut street, grade elevation 121.5 feet, thence level to the south curb line of Walnut street, thence south on a plane to the north curb line of Chestnut street, grade elevation 118.4 feet, thence south on a plane to the south curb line of Chestnut street, grade elevation 118 feet, thence south on a plane to the north curb line of Boonville street, grade elevation 111 feet, thence south on a plane to the south curb line of Boonville street, grade elevation 110.6 feet, also commencing at the north curb line Boonville street, grade elevation 112.2 feet, thence south on a plane to the south curb line of Boonville street, grade elevation 111.8 feet, thence south on a plane to the north curb line of Saline street, grade elevation 102.6 feet, thence south on a plane to the south curb line of Saline street, grade elevation 102. feet, thence south level

210 feet, thence south on a plane to M. K. & T. Ry. tracks, grade elevation 109.5 feet, thence south on a plane to the north curb line of Harvey street, grade elevation 109 feet, thence level to the south curb line of Linn street.

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## CHAPTER 13.

### HEALTH DEPARTMENT.

ARTICLE I.—Board of Health.

ARTICLE II.—Nuisances.

ARTICLE III.—Prevention of Spread of Contagious Diseases.

ARTICLE IV.—Vital Statistics.

ARTICLE V.—Quarantine Regulations.

#### ARTICLE I.

##### BOARD OF HEALTH.

###### SECTION.

- 224. Who constitutes, how appointed, compensation of.
- 225. Secretary of, to be appointed by Mayor.
- 226. Secretary, duties of.

###### SECTION.

- 227. Board of Health, Duties of.
- 228. May enter cellars, tenements, etc., in the discharge of their duties.

SECTION 224. There is hereby constituted and established for the city of Sedalia, a board of health to consist of the mayor of said city, who shall be ex-officio president thereof, and two practicing physicians, who shall be appointed by the mayor and confirmed by the council; and a majority of said board shall constitute a quorum for the transaction of such business as shall be required by the charter and ordinances of the city, and the rules of such board of health; in the absence of the president the member not filling the office of secretary shall preside. The two physicians shall be appointed in such manner and at such time as other appointive officers of the city and shall hold their offices until their successors are elected and qualified. The two physicians shall receive as full compensation for all

duties imposed by the charter and ordinances and the rules of the board of health the sum of two hundred dollars each per annum, payable monthly as other salaries.

SEC. 225. The mayor shall as soon as practicable after the organization of the board of health, in each and every year, appoint one of said physicians secretary of said board of health.

SEC. 226. The secretary of the board of health shall record its proceedings in a suitable book, sign all notices, keep a strict account of all moneys received and expended by said board of health, and in general perform all duties prescribed by the said board.

SEC. 227. It shall be the duty of the board of health to exercise a strict supervision over the sanitary condition of the city and take whatever steps may be necessary to prevent the spread or prevalence of any epidemic, contagious or infectious disease; and shall have full power to take all steps and use all reasonable measures necessary to promote and maintain the cleanliness and general health of the city. The physicians so appointed shall be ex-officio city physicians and in addition to the other duties imposed upon them shall, without extra charge attend the indigent poor of the city when called on, and shall also attend all persons who may become temporary charges upon the city, and who shall need medical or surgical attendance; it shall be their duty in case of the prevalence of small-pox to vaccinate the indigent poor of the city free of charge. The burden of attending the poor of the city and all other duties shall be shared equally, as near as may be, by the city physicians.

SEC. 228. The members of the board of health, the city marshal, every policeman and any agent designated by the board of health, are authorized to enter and examine all cellars, tenements, and all other places within the city, for the purpose of discharging their duty as prescribed by ordinance. The secretary of the board of health shall keep at his office a book, in which any person may enter complaint of any nuisance. Said board shall immediately make an investigation of such com-

plaint or charge, and take whatever steps may be necessary to abate the same, or to prosecute before the police judge, the person or persons doing or maintaining the same.

## ARTICLE II.

### NUISANCES.

#### SECTION

- 229. No person to keep, cause, permit, etc.
- 230. Vegetable waste, garbage, filth, etc., nuisance, when.
- 231. Privy, vault, water closet, etc., when.
- 232. Drains, gutters, slop or garbage boxes, etc., when.
- 233. Pond or pool of impure water, etc., when.
- 234. Stable, stall, shed, pen, etc., when.

#### SECTION

- 235. House offal, garbage or refuse, etc., when a nuisance.
- 236. Green or unsalted hides, when.
- 237. Slaughter houses, meat shops, etc, when.
- 238. Police officers—duty to report all nuisances.
- 239. Misdemeanor to keep, suffer, maintain, etc., punishment for.

SECTION 229. No person shall permit, keep, cause, maintain or do any nuisance, as defined by the laws of this State, or by any provisions in this chapter contained.

SEC. 230. All vegetable waste, litter, garbage, filth, or refuse of any nature, found in or upon any street, alley, yard or area within the city, shall be deemed a nuisance.

SEC. 231. Every privy, privy vault or water closet, which shall be found to be in an overflowing, leaking or filthy condition, or in any condition dangerous to the public health in this city, shall be deemed a nuisance.

SEC. 232. Any unclean, foul, defective or filthy drain, ditch or gutter, or any leaking or broken slop, garbage or manure boxes, or receptacles of like character, maintained or kept in the city, shall be deemed a nuisance.

SEC. 233. Any lot, or piece of ground, within the limits of the city, on which is situated a pond, or pool, of impure, unwholesome or offensive water, shall be deemed a nuisance.

SEC. 234. Any stable, stall, shed, pen, yard, or appurtenance in which any horse, cattle, cow or swine has been, or

shall be, kept, in the city, in which manure or liquid discharges of any such animal shall collect, or which shall be kept in an unclean, foul, filthy or unwholesome condition, shall be deemed a nuisance.

SEC. 235. All house offal or garbage, or filth or refuse of any kind, which shall be deposited otherwise than in suitable barrels or boxes, convenient for removal by scavengers or slop-contractors, shall be deemed a nuisance.

SEC. 236. Any green or unsalted hides kept in an exposed or open place within the city, shall be deemed a nuisance.

SEC. 237. Any slaughter house, market or meat shop, where beeves or other animals are slaughtered or sold, which shall be kept, or permitted to be kept, in an unclean or unwholesome condition, to the annoyance or detriment of any of the citizens of the city, shall be deemed a nuisance.

SEC. 238. It shall be the duty of all police officers to observe and examine the sanitary condition of the city, and to report promptly any nuisance found to exist in any portion of the city.

SEC. 239. Every person who shall suffer, maintain or keep a nuisance within the city shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one nor more than one hundred dollars.



## ARTICLE III.

## PREVENTION OF SPREAD OF CONTAGIOUS DISEASES.

## SECTION

- 240. Board of health to prescribe regulations and provide pest houses, for contagious diseases, etc.
- 241. Report of infectious disease. duty of board concerning.
- 242. Sign of infectious disease to be put up, how and by whom.
- 243. Person exposed or having disease, to procure certificate from physician.
- 244. To enter or depart from house containing case of small-pox, permission of physician to be had.

## SECTION

- 245. Such permission to be granted when.
- 246. Schools, to enter as pupil, must have certificate of board of health.
- 247. Misdeanor for teacher to fail to require such certificate, punishment.
- 248. Infectious diseases in schools, duty of board.
- 246. Violation of this article, misdemeanor, punishment.

SECTION 240. The board of health shall prescribe necessary quarantine regulations, and provide a suitable pest house, at or near the city, where all cases infected with any contagious disease shall be conveyed, if deemed best by the said board and treated and provided for at the expense of the city; *Provided*, that nothing in this section shall require any person so infected to be conveyed to said pest house if said person shall be able to pay for suitable treatment at home, and shall prevent all persons from coming into contact with said contagion or entering said premises.

SEC. 241. All persons having, or receiving any information of a person suffering with any infectious disease, shall immediately report the same to the said board of health, who shall immediately see that the said case is either removed to said pest house or that the premises are disinfected as fully as may be, and suitable arrangements made to prevent all communication between the persons there residing and persons outside.

SEC. 242. Every person in this city, or that portion of territory over which the city exercises jurisdiction for quarantine purposes, within six hours next after the appearance of small

pox, or any other infectious disease, in his or her house, residence or place of abode, shall be, and is hereby, required to put up and keep up, in the most conspicuous place on such premises, a printed or painted sign of sufficient size to attract attention, indicating the disease prevailing therein.

SEC. 243. Every person having small-pox or other infectious disease, or attending upon any one having the same, is hereby prohibited from knowingly, wilfully or carelessly exposing others to such disease, before he or she shall procure a certificate from the attending or city physician that such term of infection has passed.

SEC. 244. No person other than a physician shall enter into, or depart from, any tenement or other place containing a case of small-pox, without the permission of the physician attending on such case of small-pox.

SEC. 245. No physician shall give any one permission to enter into, and depart from, any tenement or abode containing any case of small-pox, except to persons who have had small-pox or varioloid, or are protected by any efficient vaccination, and shall not then grant such permission to any such person to depart therefrom, unless he shall have positive knowledge that all such persons, before coming out of such house, shall have changed his or her clothing, and disinfected himself or herself in an apartment separate from that occupied by the person affected with the small-pox.

SEC. 246. No person shall be permitted to enter any of the public or private schools of the city, as a pupil in the same, until he or she presents to the principal of such school a certificate from the board of health, showing that such person has been effectually vaccinated, and is free from all contagious disease.

SEC. 247. Any teacher or principal who shall fail or refuse to enforce the provisions of the next preceding section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one, nor more than one hundred dollars.

SEC. 248. Whenever any contagious or infectious disease shall manifest itself in any public or private school of the city, the same shall be promptly reported to the board of health, and such measures shall be taken by them, as will best secure the schools against the spread of the contagion.

SEC. 249. Every person who shall violate any of the provisions of this article, not otherwise provided for, shall, be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than twenty nor more than one hundred dollars.

## ARTICLE IV.

### VITAL STATISTICS.

#### SECTION

- 250. Births and deaths, record of to be kept by the city clerk.
- 251. Report of, to be made by physicians, midwives, etc
- 252. Certificate of cause or manner of death to be made, lot and block in which remains were interred must be indorsed on certificate and returned.
- 253. Remains shipped out of city,

#### SECTION

- receipt of express company to be attached to certificate.
- 254. Inquests, coroner to make report of to mayor.
- 255. Board of health, power to prescribe rules, etc.
- 256. Misdemeanor to violate the provisions of this article, punishment.

SECTION 250. The city clerk, under the immediate supervision of the board of health, shall keep a full record of all the births and deaths within the city.

SEC. 251. It shall be the duty of every practicing physician and midwife or any other person acting as nurse or having charge of any person who has given birth to a child, or any person who has died within the corporate limits of the city, to report the same to the city clerk on proper blanks, which blanks shall be furnished by the board of health.

SEC. 252. Every undertaker, doing business in the city of Sedalia, shall demand a certificate of death, properly ordered by the mayor and attested by the city clerk, setting forth the

cause or manner of death so far as may be known, and as set forth by the attending physician, midwife or nurse; and he shall also notify the sexton of the cemetery when the remains are to be interred, and that he has obtained a proper certificate from the mayor, and he shall return the certificate, having endorsed thereon that the remains of the person therein named were properly identified, and giving the name or location of the cemetery, number of lot and block in which the remains were interred and the date of burial.

SEC. 253. If the remains of any deceased person are removed beyond the jurisdiction of the city, the receipt of the express company, or person receiving such remains, shall be attached to and returned with the certificate.

SEC. 254. The coroner of Pettis county shall make out and forward to the mayor a report of all inquests held over bodies of deceased persons within the city limits, and such report shall be made immediately after the finding of the jury is known.

SEC. 255. The board of health shall have power to prescribe whatever rules they may deem necessary for the regulation of vital statistics of the city, and such rules shall be strictly complied with.

SEC. 256. Any person who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than two nor more than twenty-five dollars.

## ARTICLE V.

## QUARANTINE REGULATIONS.

## SECTION

- 257. Board of Health, to establish and enforce, when.
- 258. Quarantine regulations, to apply to what persons and things.
- 259. Quarantine regulations, when to be established and extent of.
- 260. Notice of, to be given to carriers of passengers or freight, prescribing methods of; failure to comply with, a misdemeanor.
- 261. Railroad train, coming from infected district, must have permit; failure to have, a misdemeanor.

## SECTION

- 262. Immigrants, passengers, etc., to be sent to quarantine station, when.
- 263. Orders of Board of Health, marshal and police to be subject to.
- 264. Misdemeanor to violate any quarantine regulation; punishment, when not specially provided for.
- 265. Quarantine station, Board of Health to procure, when and how.

SECTION 257. The Board of Health is hereby authorized and empowered to establish and enforce special or general quarantine regulations within the limits of the city of Sedalia, whenever, in its judgment, the sanitary interests of the city demand the same.

SEC. 258. Quarantine regulations are hereby defined to apply as follows: First, to all passengers and their baggage. Second, to passengers or baggage respectively. Third, to freight of any one kind or character, or different varieties of freight differing in kind, character, substance or material; the extent of the inhibition or prohibition upon passengers or freight coming from any part of the United States into the city of Sedalia, shall be determined by the Board of Health, and, when so determined, it shall be made of record in the proceedings of the Board.

SEC. 259. Whenever the Board of Health shall be in possession of reliable and satisfactory information that any malignant, infectious or contagious disease is epidemic in any portion of the country with which the city of Sedalia has communication, it may establish and enforce quarantine regulations



against such portion of the country, and it may determine and regulate to what extent, in what manner, and by whom any communication or business transactions may be had with such portion, either by the citizens of such portions of the country or of the city of Sedalia, and it shall establish such stringent and necessary rules and regulations as may be required to prevent the introduction or spread of such disease; and to that end it is hereby authorized to employ such persons as it may deem necessary, and all the actions of such Board under the provisions of this section must be approved by and recorded in the proceedings of the Board of Health.

SEC. 260. Whenever the Board of Health shall declare that any malignant, infectious or contagious disease is prevalent in an epidemic form, in any portion of the country, it shall immediately, or as soon thereafter as possible, notify in writing every express company, transfer company teamster, and railroad company doing business in the city of Sedalia and engaged in the transportation of freight and passengers to or from the city of Sedalia to any portion of such country, through their representatives or principal officers, or owners, managers, conductors, teamsters or directors, that quarantine regulations have been established and will be rigidly enforced against such portion of the country, stating the method and the conditions by and upon which they may transmit or carry passengers or freight to or from the city of Sedalia, and also the kind or character of freight that is prohibited from entering the city, and all other regulations that may have been established by the Board of Health in relation to the subject matter. Every officer, manager, owner, director, conductor or teamster of any express company, transfer company, team or railroad company, after having received such notice, failing or refusing, in whole or in part, to comply with the restrictions and conditions of the quarantine regulations as established by the Board of Health, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the police judge of the city of Sedalia, shall be fined not less than one dollar nor more than one hundred dollars, or

be imprisoned in the city jail for a time not exceeding three months, or by both such fine and imprisonment.

SEC. 261. No railroad train consisting of locomotive and one car or more, coming from any portion of the country infected with any malignant, infectious or contagious disease in an epidemical form, and bound for the city of Sedalia, shall enter said city, or discharge its freight or passengers within the limits of the city of Sedalia, without first having obtained a permit to do so from the Board of Health, or some other officer of the city designated by the Board of Health. Any conductor of any railroad train, entering the city with freight or passengers, or discharging freight or passengers within the city of Sedalia, without first having obtained a permit as heretofore designated, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, before the police judge of the city of Sedalia, shall be fined in a sum not less than one dollar nor more than one hundred dollars, or be imprisoned in the city jail for not to exceed three months, or by both such fine and imprisonment.

SEC. 262. All immigrants, passengers, or others recently from shipboard or elsewhere, and all sick, diseased or unclean persons, with their baggage and stores, may, on their arrival in the city of Sedalia, be sent to the quarantine station provided by the city for such purposes, whenever, in the opinion of the Board of Health, the same is deemed necessary.

SEC. 263. Whenever an order of the Board of Health in relation to the quarantine regulations of the city of Sedalia shall be made, a copy of the same shall be made out and attested by the clerk and presiding officer thereof, and transmitted to the city marshal, who shall enter the same of record, or file it in his office, and the city marshal shall cause said order to be read at least twice to the police officers of the city, whether they be regular or special officers, and the marshal and police shall be subject to the orders of the Board of Health in the enforcement of the quarantine regulations of the city.

SEC. 264. Any person or persons failing or refusing to comply with the quarantine regulations of the city of Sedalia, as

established by the Board of Health, or any person or persons, resisting, by force or otherwise, the enforcement of the quarantine regulations in the city of Sedalia, established as aforesaid, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, before the police judge, shall, when not otherwise specially provided for, be fined in a sum not less than one dollar nor more than one hundred dollars for each offense.

SEC. 265. The Board of Health are hereby authorized and empowered to procure, at a reasonable cost of rental, for such time as the exigencies of the case shall demand, a suitable place to be used as a quarantine station, whenever by them deemed necessary to prevent the introduction or spread of any malignant, infectious or contagious disease, and the city council shall order warrants drawn from time to time to meet the expenses of such quarantine station, and all other matters pertaining to the quarantine regulations of the city.

## CHAPTER 14.

## LICENSES.

ARTICLE I.—Sundry and Miscellaneous Licenses.

ARTICLE II.—Merchants Licenses.

ARTICLE III.—Insurance Licenses.

ARTICLE IV.—Railroad Ticket Brokers Licenses.

## ARTICLE I.

## SUNDRY AND MISCELLANEOUS LICENSES.

## SECTION.

- 266. Licenses, who must have, generally.
- 267. Definition and meaning of words and phrases used.
- 268. License tax, amount of, to be levied and collected for miscellaneous businesses.
- 269. Billiard and pool tables, bowling alleys, pigeon holes, etc., amount of tax to be levied on.
- 270. Livery, feed and sale stables, wagon yards, license tax on.
- 271. Teams, wagons and drays, carriages, hacks, etc., license tax on.
- 272. Hotel keeper, license tax on.
- 273. Runner of hotel, to pay license tax, and wear badge, failure to a misdemeanor.
- 274. Restaurant stand, license on.
- 275. Bootblack, license tax on.
- 276. Agricultural implements, dealer to pay what license tax.
- 277. Keeper of butcher shop, license tax on, meaning of term.
- 278. Circuses, menageries and side shows.
- 279. Theatrical show or exhibition, not in licensed house or hall.
- 280. Opera house keeper.
- 281. Rope or wire dancing, spirit rapping, street organ, etc.
- 282. Peddlers and hawkers, country produce, etc., excepted.
- 283. Auctioneer, license tax on.
- 284. Licensed auctioneer may sell at retail without merchant's license, when, must render statement of sales.

## SECTION

- 285. Duty on sales by auctioneer to be paid city treasurer, bond for same to be given.
- 286. Failure of auctioneer to comply with conditions of bond, penalty, license not transferable.
- 287. Pawn and money broker must have license.
- 288. Pawnbroker, who declared to be.
- 289. Bond to be given by when licensed.
- 290. Pawnbroker to keep register of loans, and issue tickets for same.
- 291. Register of broker, open to inspection of officers.
- 292. Pawnbroker, license tax on.
- 293. Goods not to be received from minors, or between 8 p. m. and 7 a. m.
- 294. Loan not to be made on divided parts of property.
- 295. Misdemeanor for violation of this article.
- 296. Money broker, who is.
- 297. Money broker, license tax on.
- 298. Wood and coal dealer, tax on.
- 299. Ice wagons, tax on.
- 300. License not to authorize doing business on Sunday.
- 301. Time of license to run.
- 302. License tax, payable in advance.
- 303. Misdemeanor, to do business without, penalty.

SEC. 266. It shall be unlawful for any person to keep a beer depot, or beer store room, to exercise or carry on the business of an auctioneer, druggist, hawker, peddler, banker, broker, pawn-broker, merchant of any kind, grocer, restaurant keeper, butcher, tavern-keeper, hotel-keeper, or the keeper of a public boarding house, dram-shop, saloon, billiard tables, pool tables, or any other kind of a gaming table, bowling alley, hay scales, or to exercise the business of lumber dealer, livery stable keeper, real estate agent, loan company, loan agent, or to keep, manage or control any public building, public hall, opera house, public grounds, concerts, or to exercise, or follow the avocation of photographer, bill-poster, artist, agent, porter, runner, drummer, public lecturer, conduct, manage or control any public meeting, give or cause to be given, performed or exhibited any circus, show, parade or exhibition, or to engage in or follow the avocation of horse and cattle dealer, patent right dealer, keeper of stock yards, keeper of wagon yards, inspector, guager, mercantile agent, insurance, insurance agent, manufacturer, or use, operate or run upon the streets of the city for hire, or upon which a fare is charged, any street railroad car, hackney carriage, omnibus, cart, dray, transfer wagon, job wagon, or use any wagon in the delivery or peddling of ice, or use any vehicle of any kind for hire on the streets of the city, or keep or conduct any traveling or auction store, or follow the business or avocation of a money broker, money changer, intelligence office or agency, or shall be a party to, or conduct, or manage any public masquerade, or ball, or shall give any street exhibition, or conduct or keep any dance house, pistol gallery, or shall do business as a fortune teller or corn doctor, or shall keep any private venereal hospital, museum, menagerie, or shall keep or perform or cause to be performed any equestrian performance, or shall exhibit any horoscopic views, or telescopic views, or shall keep or manage any lung tester, muscle developer, magnifying glass, ten-pin alley, ball-alley, or shall give, keep, or cause to be given, or permit to be given, in any place controlled by him or them, any theatrical or other



exhibition, boxing or sparring exhibition, show or amusement, or make any sales of unclaimed goods held by express companies or common carriers, without first having obtained a license therefor from the proper officers of the city, and pay the license therefor fixed by ordinance.

SEC. 267. The following definitions of phrases and words employed in this article are hereby adopted; a bill poster is one who conducts the business of posting bills in advertising any performance, show, exhibition or business in public places or so as to be conspicuous to the travel of the city. A money broker shall be construed to mean any person, firm, company or corporation other than bankers or banking corporations, or institutions in the meaning of this section, who for a commission negotiates, obtains or effects loans of money on real estate securities or on collateral security or personal guarantee, or who effects or negotiates for the purchase or sale of stocks, bonds, bills of exchange, bullion, coined money or other money or currency, promissory notes or other securities, for themselves or others, is hereby declared to be a financial agent or broker. Any person, company, or corporation, or association, other than bankers, banking corporations or associations, who shall follow the business or avocation of loaning money, whether for themselves or others, is hereby declared to be a lone agent or company as the case may be. Every person who shall in any way deal in the sale of patent rights or the procurement of patents for inventions is hereby declared to be a patent right dealer or agent. A photographer is one having a place of business where the taking of photographs is carried on. Every person or firm composed of one or more persons, who shall act as agent for any party in the leasing, renting or selling of houses, or real estate, at private or public sale, or who shall receive or collect rents for another for a commission or other compensation or who shall advertise or hang out any sign or device which shall designate him or them as an agent or agents for the renting, collecting rents, leasing or selling houses or real estate, shall be considered a real estate agent. A real estate broker is

one who for commission, or other compensation, is engaged in the selling of, or negotiating sales of real estate belonging to others. A horse and cattle dealer is a person who buys or sells, barter or trades in horses, mules, cattle, hogs or sheep on his own account, without being the keeper of a stock yard, or sale stable. Every person, firm, bank, banking company or incorporated institution or association, having a place of business where credits are opened in favor of any one, on time or current deposits, or on collections of money or currency, subject to be repaid or remitted upon drafts, checks or orders, or where money or currency is advanced or loaned on stocks, bonds, bullion, bills of exchange or promissory notes, or where stock, bonds, bullion, bills of exchange or promissory notes are received for discount or sale, is hereby declared to be a banker, banking corporation or institution. A fortune teller is one who for a compensation, tells, or pretends to foretell, the events of one's life, or one who pretends to a knowledge of future events. The avocations named and not herein given a particular or special definition shall be construed with reference to the ordinary use of the term or any special signification given it by custom and usage.

SEC. 268. There shall be levied and collected for every license granted for any business or object herein specified a license tax as follows:

*First*—Upon every loan agent's license, twenty-five dollars per year, or fifteen dollars for six months.

*Second*—Upon every loan company's license, fifty dollars per year, or thirty dollars for six months.

*Third*—Upon every patent right dealer or agent's license, thirty dollars per year, twenty dollars for six months, or two dollars per day.

*Fourth*—Upon every photographer's license, twenty dollars per year.

*Fifth*—Upon every real estate agent's license, twenty-five dollars per year.

*Sixth*—Upon every real estate broker's license, twenty-five dollars per year.

*Seventh*—Upon every horse and cattle dealer's license, fifteen dollars per year.

*Eighth*—Upon every bank or banker's license, fifty dollars per year.

*Ninth*—Upon every corn doctor's license, twenty dollars per year or two dollars per day.

*Tenth*—Upon every license to exhibit horoscopic views, two dollars per day.

*Eleventh*—Upon every license to keep a lung tester, two dollars per day or ten dollars per year.

*Twelfth*—Upon every fortune teller's license, two dollars per day or twenty-five dollars per year.

*Thirteenth*—Upon every license to keep muscle developers, two dollars per day or ten dollars per year.

*Fourteenth*—Upon every license to keep a hay scales, fifty dollars per year.

*Fifteenth*—Upon every license to keep or use a street sprinkling wagon or cart, ten dollars per year.

*Sixteenth*—Upon every license for any exhibition or show on any of the streets of the city, or elsewhere within the city limits, to which a fee is charged, or at which articles are sold or offered for sale, and not otherwise licensed, two dollars per day or twenty-five dollars per year.

*Seventeenth*—Upon every bill poster's license, fifty dollars per year.

*Eighteenth*—Upon every license to deliver any public lecture, except where the same is to be delivered in the interests of some church, school or charitable institution or purpose, five dollars for one lecture or the first of any series of lectures, and two dollars and fifty cents for each succeeding lecture.

*Nineteenth*—Upon every license to keep an intelligence or employment office or agency, ten dollars per year.

*Twentieth*—Upon every license to use a magnifying glass for hire, ten dollars per year or one dollar per day.

*Twenty-first*—Upon every license to conduct any gift enterprise, two dollars per day or twenty dollars per month.

*Twenty-second*—Upon every license to give any boxing, sparring or wrestling exhibition, five dollars each.

*Twenty-third*—Upon every license to conduct or permit any sale of any unclaimed goods in the possession of any express company or common carrier, five dollars for each day a sale is made or conducted, or goods offered for sale.

*Twenty-fourth*—Upon every license to keep or conduct any traveling or auction store, ten dollars per day, or fifty dollars per month.

*Twenty-fifth*—Upon every license to keep a beer depot or beer wareroom or store-room, ————dollars per year.

*Twenty-sixth*—Upon every hawker's license, two dollars per day.

*Twenty-seventh*—Upon every boarding house license, ten dollars per year or five dollars for six months.

*Twenty-eighth*—Upon the license of every keeper of a public building, ten dollars per year or five dollars for six months.

*Twenty-ninth*—Upon the license of every keeper of public grounds, ————dollars per year.

*Thirtieth*—Upon every license to keep a stock yard, ten dollars per year.

*Thirty-first*—Upon every inspector or gauger's license, one dollar per day.

*Thirty-second*—Upon every mercantile agent's license, ten dollars per year.

*Thirty-third*—Upon every manufacturer's license, one dollar per year.

*Thirty-fourth*—Upon every street car license, one dollar per year for each car used regularly.

*Thirty-fifth*—Upon every money changer's license, ten dollars per year.

*Thirty-sixth*—Upon every license for any masquerade, or ball or dance house, ten dollars per year.

*Thirty-seventh*—Upon every license to keep any private venereal hospital, twenty-five dollars per year.

*Thirty-eighth*—For exhibiting any telescopic views for hire or charge, two dollars per day.

SEC. 269. All keepers, owners or managers of billiard or pool tables, shall pay a license tax for every six months of seven dollars and fifty cents for each table; and every owner, keeper or manager of a ten pin alley, or bowling alley, shall pay a license tax for every six months of ten dollars; and every owner, keeper or manager of any pigeon-hole, bagatelle, or Jenny Lind table, shall pay a license tax for every six months of five dollars for each table.

SEC. 270. All owners of livery stables, shall pay a license tax of ten dollars for every six months, and two dollars and fifty cents per year for every two seated vehicle kept and used upon the streets of this city for hire; and all owners of feed and sale stables, or wagon yards, shall pay a license tax of five dollars.

SEC. 271. All owners of teams, wagons or drays, shall pay a license tax of five dollars for every two horse wagon or dray, used for hauling, for hire within the city limits, and for every one horse wagon so used, three dollars; and all owners of carriages, hacks, buggies, or other vehicles used in transporting passengers, for hire, within the city limits, shall pay a license tax for every six months of five dollars for every vehicle so used.

SEC. 272. Every hotel keeper within the city shall pay a license tax of fifteen dollars, and fifty cents additional for every room, of any kind, kept in such hotel for the accommodation of guests; and the word "hotel," as used in this section, shall be construed to mean and include all houses kept open for the accommodation of travelers

SEC. 273. Every person who shall ply the avocation of runner of, or solicit guests for any hotel or boarding house, whether controlled by himself or another, shall pay a license tax of seven dollars and fifty cents for every six months, and



obtain a license as runner; and every such hotel or boarding-house runner, or person, shall, while plying such avocation, or soliciting such guests, wear a badge on the outside and front of his hat, or cap, on which shall be printed or written plainly, the name of the hotel or house for which he runs or solicits guests, and any person who shall violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and on conviction thereof be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 274. Every person who shall keep a restaurant stand shall pay a license tax of seven dollars and fifty cents for every six months.

SEC. 275. Every person who shall ply the avocation of bootblack upon any of the streets, alleys or public grounds of the city, or at, or around any of the railroad depots or station houses, shall pay a license of three dollars for every six months.

SEC. 276. Every dealer in agricultural implements, whether selling on his own account or for others, who has no regular business house, shall pay a license tax of ten dollars for every six months,

SEC. 277. Every person who shall keep a butcher shop within the city limits shall pay a license tax of twelve dollars and fifty cents for every six months, *provided*, that this section shall not apply to a person renting or occupying stalls or stands in the city market house; and the term "butcher shop" as used above, shall be construed to mean all places wherein fresh meats are kept and offered for sale; *provided*, that this section shall not be construed so as to include regular canners and packers of meats so as to prevent the sale of spare-ribs, pigs feet, hogs heads, and other trimmings and offal of such packing house or canning establishment; and *provided further*, that nothing in this section shall be so construed as to require the payment of a license tax upon any article offered for sale, or sold by the raiser or producer.

SEC. 278. Every person, company or corporation exhibiting any circus or menagerie show, shall pay a license tax of one hundred dollars, when an admission fee of fifty cents is charged, fifty dollars when an admission fee of twenty-five cents is charged, forty dollars when an admission fee of twenty cents is charged, and twenty dollars when an admission fee of ten cents is charged, or the license shall be in dollars, double the number of cents charged for admission for every day the same shall be exhibited; and the owners and managers of side shows, or animal shows, not exhibited under the main circus canvas, shall pay a license tax of ten dollars for every day the same shall be so exhibited.

SEC. 279. Every person, company or corporation who shall be the owner or keeper of any theatrical show or exhibition, who shall give any performance or make any exhibition in any opera house building, hall or other place within the city, other than a regularly licensed opera house, hall or building, shall pay for every such performance or exhibition a license tax of five dollars, for the first performance or exhibition, and the sum of two dollars and fifty cents for each additional performance or exhibition.

SEC. 280. Every keeper of an opera house shall pay a license tax of one hundred dollars per year, the term to begin on November first of each year.

SEC. 281. Every person who shall perform any rope or wire dancing, or spirit rapping, shall pay a license tax for every such performance of five dollars; and every person who shall exhibit on any street, or in any public place in this city, any street organ, musical playing-box, monkey show, or any other exhibition whatever, shall pay a license tax of one dollar for every day's performance; *Provided*, that nothing in this section shall be so construed as to require a license tax to be paid by persons exhibiting or performing any amateur performances, or performances for schools, religious or charitable purposes.

SEC. 282. Every peddler shall pay a license tax of twenty-five dollars for every six months, or three dollars for the first

day and two dollars per day for a term less than six months, for which a license shall be granted for selling within the city, except peddlers of country produce, fish and game; and every hawker of goods, wares, merchandise, nostrums or patent medicines shall pay a license tax of five dollars for the first day he may sell, and three dollars per day for each day thereafter.

SEC. 283. Every person who shall exercise the trade or business of auctioneer, by selling any goods or property subject to duty under ordinance, or any real estate, shall pay a license tax as follows: First, on such license for thirty days or less, fifteen dollars; second, on such license for three months, twenty dollars; third, on such license for six months, twenty-five dollars; fourth, on such license for the first day, three dollars, and one dollar per day thereafter for a term less than one month; but no person shall be permitted to sell property of any kind at auction unless he shall have resided in this state six months next preceding the time of making application for such license.

SEC. 284. Any auctioneer, licensed as prescribed by this article, may sell or retain goods at his auction house, without a license as vendor of merchandise, so long as he continues the business of an auctioneer in said auction store; but he shall render a true account of sale, and pay the like duty thereon as if such sales were made at auction. Sales of property at auction shall be free from duty in the cases specified in section 693 of the Revised Statutes of Missouri, 1889.

SEC. 285. There shall be paid into the city treasury, as ad valorem tax, one-half of one per centum of the proceeds of the sales of property sold at auction, or retailed, as specified in the next preceding section, and in order to secure the payments of the same, the applicant for an auctioneer's license shall enter into a bond, with two sufficient securities, to be approved by the mayor, in a sum not less than five hundred dollars, conditioned that he will, at the expiration of his license, give to the collector a true statement of the aggregate amount of all property or goods, subject to duty, sold by him at auction or at re-

tail, as hereinbefore provided, and to pay to the collector his said tax of one-half of one per centum on all such sales.

SEC. 286. Whenever any auctioneer shall fail to fulfill the conditions of his bond, the mayor may order the city attorney to prosecute him on his bond, and if judgment shall be rendered against him, in addition to the judgment so recovered, his license may be thereby revoked and vacated, if so adjudged by the court. Nothing contained herein shall be so construed as to permit any auctioneer to transfer his license, or to deputize or authorize any other person to act in the capacity of auctioneer in his stead.

SEC. 287. No person shall engage in the business of pawnbroker or money broker in this city, without first having obtained a license therefor.

SEC. 288. Any person who loans money on a deposit of personal property as security, or who deals in the purchase of personal property on condition of selling the same back again at a stipulated price, or who makes a public display at his place of business of the sign generally used by pawn brokers to denote their business, to-wit: three gilt or yellow balls, or who publicly exhibits a sign of "money to loan" on personal property or deposits, is hereby declared to be a "pawn broker."

SEC. 289. Every person to whom a license shall be granted to carry on the business of a pawn broker shall enter into a bond to the city of Sedalia, with good and sufficient security, to be approved by the mayor, in the penal sum of five hundred dollars, conditioned for the due observance of all ordinances that may be passed, or be in force, respecting pawn brokers, at any time during the continuance of such license.

SEC. 290. Every pawn broker shall keep a register of all loans, which register shall have date and names of all persons who have left property of any description on deposit; opposite such name and date shall be written a full description of such property, the time when the loan falls due, the amount loaned, and the interest charged. In addition to this, he shall give to the party negotiating a plainly written or printed ticket, having

upon it a copy of the entries required by ordinance to be kept in his register of loans, and for such tickets he shall make no charge.

SEC. 291. The said register shall at all times be open to the inspection of the mayor, city marshal, city attorney, sheriff of Pettis county, and the constable within and for Sedalia township, or any person duly authorized in writing by any of them, who shall exhibit to the pawn broker his written authority.

SEC. 292. Every such pawn broker, shall pay a license tax to the city of Sedalia of seven dollars and fifty cents for every six months.

SEC. 293. No pawn broker shall receive, by way of pledge or pawn, any goods, articles or things whatsoever from any minor, at any time, nor from any person whatsoever between the hours of eight o'clock p. m. and seven o'clock a. m.

SEC. 294. No pawn broker shall make any loan on the separate or divided part or parts of any article or piece of property.

SEC. 295. Any pawn broker who shall neglect, violate or refuse to comply with any of the provisions of this article concerning pawn brokers, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars, nor more than one hundred dollars and in addition to such fine his license may be ordered forfeited, if so adjudged by the police judge in assessing and adjudging of such fine and imprisonment.

SEC. 296. Whoever is declared by the laws of the state of Missouri, or by the government of the United States to be, or who exercises the profession or calling of a money broker, shall be so considered within the meaning of this article.

SEC. 297. All persons exercising or following the profession or calling of money brokers shall pay to the city of Sedalia a license tax of fifty dollars per annum, thirty dollars for six months.

SEC. 298. Every wood and coal dealer shall pay a license tax of thirty dollars per year in advance, and the term of such



license shall commence on the first day of September, and all persons who are now engaged or who may hereafter become engaged in the business of wood and coal dealers, who shall apply for a license for any part of the term of one year shall pay a pro rata amount for a part of an unexpired term.

SEC. 299. Every person who shall drive or have driven upon the streets in the delivery of ice, any ice wagon, shall pay for every such wagon a license tax of thirty dollars for every year, the term to commence on the first of May of each year.

SEC. 300. No license issued under the provisions of this article shall be so construed as to permit any person to exercise any trade or calling, or carry on or engage in any business on the first day of the week, commonly called Sunday, but, to do the same shall be unlawful; and every person who shall carry on any business in the city of Sedalia, on the first day of the week, commonly called Sunday, shall, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than one nor more than one hundred dollars; provided, however, that grocery or drug stores may be opened to sell provisions or medicines for immediate necessity and demand, and livery stables may be kept open for the benefit of the public.

SEC. 301. All licenses required by the provisions of this article shall run for a period of six months, unless as otherwise hereinbefore specially provided, and shall commence on the first days of May and November in each and every year, or at the commencement of such portion of a term as the person receiving the license shall transact the business for which the same was obtained. When any person shall apply for a license after the first days of May or November, or after the first day of a term for which a license regularly begins, then the amount he shall pay therefor shall be to the full amount of such license for the whole term as the time from the date of the license to the end of the term shall be to the whole term, or be pro rated and all license shall run in the name of the city and be signed by

mayor, and be subscribed by the city clerk and attested by the the seal of the city.

SEC. 302. All licenses shall be payable in advance, unless otherwise specially provided, to the collector, upon the exhibition of whose receipt the city clerk shall execute and deliver a license to the person entitled therto, and the city clerk shall charge the collector with the amount of such license.

SEC. 303. Whoever shall exercise any of the avocations, or carry on or engage in any business for which a license is required under the provisions of this article, without first obtaining a license therefor, shall be deemed guilty of a misdemeanor; and upon conviction thereof, shall be punished by a fine of not less than one dollar, nor more than one hundred dollars.

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## ARTICLE II.

### MERCHANTS' LICENSE AND TAX.

#### SECTION.

304. Merchants, license tax on—  
terms defined.

305. Ad valorem tax on, when levied.

306. Statement of, when made—  
collector charged with amount

#### SECTION.

307. Statement to be sworn to.

308. Failure to make etc., misdemeanor.

309. License, time to run.

SECTION 304. Every person or co-partnership of persons, company or corporations or associations who shall deal in the selling of goods, wares and merchandise, of any kind whatever, including clocks, at any stand or place occupied for that purpose within the city, is hereby declared to be a merchant, except as is or may be otherwise provided by ordinance, and the term "merchant" as used herein shall be construed to include all merchants, commission merchants and grocers, whether trading as wholesale or retail dealers, and every person defined to be a merchant by this article, before doing or offering to do business as such merchant, shall procure from the city clerk a license therefor, for which he shall pay to the city collector for the use of the city a license tax of twenty dollars.

SEC. 305. Merchants shall pay an advalorem tax, equal to that which is levied upon all real estate, on the highest amount of all goods, wares and merchandise which they may have in their possession or under their control, whether owned by them or consigned to them for sale, at any time between the first day of March and the tenth day of June in each year; *Provided*, that no commission merchant shall be required to pay any tax on any unmanufactured article, the growth or produce of this or any other state, which may have been consigned for sale, and which he has no ownership or interest other than his commission.

SEC. 306. On the tenth day of June in each year, it shall be the duty of every person, or co-partnership of persons, who shall have obtained a license, as provided for by this article, to file in the office of the city clerk a statement of the greatest amount of goods, wares and merchandise which he or they may have had on hand at any time between the first day of March and the said tenth day of June; said statement shall include goods, wares and merchandise owned by such merchant, and consigned to him or them for sale, by other parties. The city clerk shall, on or before the first day of July following, enter an abstract of such statement in a book to be provided for such purpose, make out and deliver to the collector a copy of such abstract, and charge the collector with the amount of such taxes.

SEC. 307. Such statement shall be signed and verified by the affidavit of such person, or some member of the co-partnership, or some credible person having the means of knowing, for him or the co-partnership, before the city clerk, or some officer authorized by law or ordinance to administer the oath, that such statement contains a just and true account of the aggregate amount of all goods, wares and merchandise taxable by law.

SEC. 308. Every person, or co-partnership of persons, to whom a license shall have been granted, or who are required to obtain a license to vend goods, wares and merchandise, and who shall have filed a statement as

herein required, and failed to pay, or refused to pay, the amount of revenue so owing to the collector of the city, or who shall fail to make a statement above required, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five, nor more than one hundred dollars.

SEC. 309. Merchants' licenses shall run for a period of twelve months, and commence on the tenth day of June in each and every year, and whenever any person shall commence the business of merchandising after the tenth day of June in any year, he shall, on or before the first day of the succeeding month, file his statement as herein required, and shall pay the same rate of tax as other merchants, to be estimated as the time from the day on which he commenced business to the said tenth day of June next succeeding shall be to one year.

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### ARTICLE III.

#### INSURANCE LICENSE.

##### SECTION.

310. Insurance companies, license tax on, time to run, etc.

311. License, not to have, misdemeanor.

312. Insurance agent and broker, who is

##### SECTION.

313. Must have license—tax, time to run, etc.

314. Failure to have, etc, misdemeanor.

SECTION 310. No person, company or corporation shall carry on, or do, or offer to do any insurance business of any kind whatever in this city, in person or by agent, without first having obtained a license therefor, for which shall be paid a license tax of twenty-five dollars for every twelve months, and the term of such license shall begin on the first day of June of each year, the amount shall be pro rata when the application is made after June first. Agents representing more than one company shall procure a separate license for each, and shall pay therefor twenty-five dollars for each license issued.

SEC. 311. Any person who shall act as the agent of, or who shall solicit, or transact any insurance business for or in behalf of any insurance company in this city, not having a license to do an insurance business, as provided in the preceding section, shall be deemed guilty of a misdemeanor and on conviction, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

SEC. 312. Every person, firm or corporation while being or acting as an accredited agent of any insurance company in this city, and keeping an account with said insurance company for money collected or remitted, who shall, in favor of any person, firm or corporation, for commission or compensation, effect or place or cause to be effected or placed, or shall negotiate for, or obtain authority to effect or place any insurance or insurance risk in any insurance company of which he is not an accredited agent, is hereby declared to be an insurance agent or broker.

SEC. 313. No person shall do any business in this city as an insurance agent or broker, as defined in the next preceding section without first having obtained a license as such, and every insurance agent or broker shall pay a license tax of ten dollars for every twelve months, and the term of such license shall begin on the first day of June of each year, and run for one year. The amount charged for all licenses for a part of an unexpired term shall be pro rata.

SEC. 314. Any person violating any of the provisions of the preceding section, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than one dollar nor more than one hundred dollars.



## ARTICLE IV.

## RAILROAD TICKET BROKERS.

## SECTION

315. Ticket broker, must have license.

316. Who deemed a broker.

317. License tax on, time of, etc.

## SECTION

318. Must file bond with clerk.

319. Misdemeanor to violate this article.

SECTION 315. No person or copartnership of persons or company shall exercise within the city of Sedalia the business of broker or dealer in railway or railroad passenger tickets without first having obtained a license therefor, as hereinafter provided.

SEC. 316. A railway ticket broker is one who, for a consideration, sells railway passenger tickets, or fractional parts of such tickets, purporting to be good for one or more persons to travel to and from certain places on a railroad train, or who buys railway or railroad tickets from the general public at prices less than such tickets are sold by the company who originally issued the tickets.

SEC. 317. There shall be levied and collected on every license granted under this ordinance, the sum of ten dollars, before the delivery thereof. Each license shall be granted for one year, and on its face shall plainly express that it will be forfeited by any violation of this article, and shall also show plainly the time when it shall expire, together with the name of the person authorized to do business under the license, and also express on its face that the license shall entitle the person named therein to carry on the business of ticket broker at one office only.

SEC. 318. No license shall be granted under this article until the person or persons applying therefor shall have filed with the collector a bond with one or more good and sufficient securities, to be approved by the city clerk, in the sum of two hundred dollars, conditioned that the said railway ticket broker will refund to any purchaser, or purchaser's agent, the money paid to said railway ticket broker, on any ticket that shall be rejected or declared not good by the company's agent, for a

passage on the railway for which said broker sold such tickets; *Provided*, that all such ticket brokers shall furnish the buyer with a schedule describing the number and kind of ticket, signed by the seller's name.

SEC. 319. Every person violating the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one dollar nor more than one hundred dollars.

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## CHAPTER 15.

### LIGHTS.

SECTION 320. For streets, etc., council to provide for.

SECTION 320. The council may provide for and regulate the lighting of streets and the erection of lamp-posts, poles and lights therefor, and shall have power to make contracts with any person or association or corporation for the lighting of the streets and other public places of the city with gas, electricity or otherwise; *provided*, that no such contract shall be made for a longer time than ten years; *provided further*, that no such contract shall have any legal force until the same shall have been ratified by a two-thirds majority of the qualified voters of said city, voting at an election held for that purpose. The council shall have the right also, to erect, maintain and operate gasworks, electric light works or light works of any other kind or name, and to erect lamp-posts, electric light poles, or any other apparatus or appliances necessary to light the streets, avenues, alleys or other public places, and to supply private lights for the use of the inhabitants of the city and its suburbs, and to regulate the same, and to prescribe and regulate the rates to be paid by the consumers thereof, and to acquire by purchase, donation or condemnation, suitable ground within or without the city upon which to erect such works, and the right

of way to and from said works, and also the right of way for laying gas-pipes, electric wires under or above the ground, and erecting posts and poles and such other apparatus and appliances as may be necessary for the efficient operation of such works; *provided*, that the council may, in its discretion, grant the right to any person or persons, or corporation to erect such works and lay the pipe, wires and erect the posts, poles or other necessary apparatus and appliances therefor, upon such terms as may be prescribed by ordinance; *provided further*, that such right to any such person, persons or corporation shall not extend for a longer period than twenty years, and shall not be granted nor renewed unless by consent of a majority of the qualified voters of the city, voting at an election held for such purpose

## CHAPTER 16.

## MARKET HOUSE.

## SECTION.

- 321. Location of.
- 322. Stands, outside of Market house.
- 323. Vehicles attending, be separated three feet.
- 324. Stalls, inside market house, use of.
- 325. Wagons, vehicles, etc., regulation of.
- 326. Stalls, interior, how arranged, etc.
- 327. Stands and stalls, how rented.
- 328. Rents of, how paid and secured, penalty for failure.
- 329. Vacant stalls, how rented.
- 330. Butcher, to paint stall, when.
- 331. Lease for, to be executed when.
- 332. Stalls not to be occupied without permit etc.
- 333. Transfer of, must have written consent of market inspector, failure of misdemeanor.
- 334. Lease, how cancelled by city.
- 335. Market inspector, duties of.
- 336. Authority and powers of.
- 337. Cleaning and sprinkling, by whom.
- 338. Inspectors duties concerning.
- 339. Scales to be kept, articles weighed, fees therefor, etc.
- 340. Articles to be seized and forfeited to city, when, proceeds of same.
- 341. Persons to be removed from market place, when and by whom.
- 342. Receiving money not authorized, or more than allowed, or failure to receipt for, misdemeanor, punishment.
- 343. Market, must keep open when etc.
- 344. City bell, to be rung when.
- 345. Stalls and stands, cleaned by lessee, etc.
- 346. Water hydrants, market to have.
- 347. Lessee to sell only at stand, others prohibited, etc.
- 348. Farmers may sell by quarter, etc., what and how, game.

## SECTION.

- 349. Diseased or sick animals, not to sell, etc.
- 350. Diseased, impure, etc., meats, etc., exposed for sale, unlawful, penalty and punishment.
- 351. Vehicle, to be removed when article sold.
- 352. Coffee, refreshments, may sell, when.
- 353. Fuel, etc., not to be lighted when, exceptions.
- 354. Lounging, loafing, etc., prohibited.
- 355. Intoxicated persons prohibited.
- 356. Dogs and unruly animals, not permitted.
- 357. Sales, inspector to superintend, etc.
- 358. Offer for sale, meaning of.
- 359. Failure to offer for sale, forfeits lease, when.
- 360. Forfeiture of lease, two convictions, etc.
- 361. Committee on public buildings, duty as to stands and stalls.
- 362. Rules of, to be printed and posted.
- 363. Meat shops, within six blocks, prohibited, misdemeanor and punishment.
- 364. City market inspector, office of created, bond.
- 365. To examine and test weights, measures, etc., report, fees, etc.
- 366. Weights, scales, etc., subject to inspection, when.
- 367. Owners of to have tested, etc., misdemeanor to use false, etc., punishment.
- 368. Seller to weigh on city scales, when, fee and certificate of.
- 369. Certificate, not to sell or buy without, licensed business excepted.
- 370. Wood to be measured, etc., certificate and fee.
- 371. Misdemeanor, breach of this article or interference with officer.

SECTION. 321. Lots one, two, three, four and five in block Forty-four in the city of Sedalia, bounded north by Second street, east by Osage street, south by an alley, and west by Kentucky street, shall constitute and be known as the city market place, and the buildings thereon shall be known and designated as the city hall building and market house. The said buildings and grounds and the building grounds surrounding said building shall be always kept clean by direction of the city market inspector.

SEC. 322. The space abutting the sidewalk outside of the market house and not occupied by buildings are hereby appropriated and set apart for stands to be used for the sale of vegetables and other articles, which under the city ordinances are allowed to be sold outside of the market house at wholesale or retail from tables, vehicles or in any other manner. Each stand or vehicle shall be made to occupy not less than eight nor more than twelve feet along the sidewalk, the space under the market house shed being reserved for special stands.

SEC. 323. All vehicles attending market shall, in taking their positions at the sidewalk, be separated at least three feet.

SEC. 324. All the inner portion of the market house shall be and is hereby set apart for butcher stalls, but when not used for that purpose may be used under the directions of the committee on public buildings and the city market inspector, for the sale of fresh and cured meats, dressed fowls and all other kinds of provisions, vegetables or goods, or for restaurant purposes.

SEC. 325. It shall not be lawful for vehicles to occupy or remain a longer time than may be necessary on the market place to the detriment of the business of any merchant; and when market wagons obstruct the delivery of the goods of any merchant or business man or other person, it shall be the duty of the city market inspector to cause said market wagons to be removed.

SEC. 326. The interior of the market house as now existing shall be divided into stands for butchers and others as follows: The front or main portion of the building shall be di-



vided into four stands as nearly equal and convenient in size and location as the building will permit and numbered consecutively, one, two, three and four. Number one shall be located in the north-west corner of the main building; number two in the north-east; number three in the south-east; and number four in the south-west corner of the main building. The rear or "I." portion shall be divided into four stands, as nearly equal and convenient in size and location as that portion of the building will permit, and shall be numbered consecutively from five to eight. Number five shall be located in the south-east; number six in the south-west; number seven in the north-west and number eight in the north-east corner of said rear portion of the market house. A plat of the said stands shall be kept by the market inspector or other person or officer having charge of said market house, which shall designate the exact portion set apart for each stand, and the space set apart for aisles and passage ways and entrances, and no person occupying any such stand will be permitted to use for business, or obstruct in any way any passage way or entrance.

SEC. 327. The stands in the market house and all other stands and stalls shall be rented by the market inspector or other person or officer duly authorized by the city council, on or before the first day of December 1890, and thereafter at least ten days before the first days of November and May of each year; *Provided*, that before such renting shall take place the city council shall establish the terms of the renting and grade the prices of all stands and stalls according to the different purposes for which they are to be used, and according to the location. Notice of such leasing or renting shall be given by five insertions in the newspaper doing the city printing, the last insertion to be not more than two days before the time fixed for such renting, said notice shall state the time and place, and the manner of such renting, and such renting shall be by auction except that the occupiers of any stand or stall who have not been guilty of a violation of any of the market house regulations and are not in arrears for rent shall be entitled to re-rent their respective stands and

stalls; at the graded price, on complying with all other conditions and provisions of ordinances relating to such stalls: *Provided*, that no person shall be allowed to rent directly or indirectly more than one stand.

SEC. 328. Every person bidding off, or taking at its valuation, any stall or stand shall at the time of so doing pay to the market inspector or other person or officer at the time having authority to receive such rent, one-fourth of the annual amount of his rent at the rate at which he contracts for such stand or stall, and within ten days shall execute a lease to the city of Sedalia, with two good securities to be approved by the mayor, for the payment of all rent quarterly in advance and a performance of the other obligations herein provided for and of the obligations of his lease; and a non-payment of any rent when due, or any other failure to comply with the conditions of his lease, or the provisions of any ordinance relating thereto, shall work a forfeiture of said lease and of such stand or stall. And any person failing to execute a lease as above provided, or shall violate any of the rules or regulations made in pursuance of any ordinance shall forthwith forfeit such stand or stall and all money that may be paid thereon.

SEC. 329. Vacant stands and stalls not rented as required in the foregoing sections, or which, by forfeiture to the city, or for any other reason, become vacant, may be rented for the best attainable price and length of term or time; *Provided*, that stalls shall not be rented for less than one month, and stands shall not be rented, nor any person allowed to sell at retail, vegetables, fruit or other commodities in the market or market place, by the day or for a single day, for less than twenty-five cents.

SEC. 330. Each butcher renting a stall shall, as a condition of such leasing, be bound, if required by the market inspector, to annually paint his stall such a color, and at such a time, as shall be required by the market inspector, and all stalls shall be of a uniform color.

SEC. 331. Every lessee of a stall or stand to be used for a longer time than three months shall execute a lease therefor, with two good securities, to be approved by the mayor, for the payment of all rent, quarterly, in advance, and a performance of other obligations created and provided for by ordinance; and the non-payment of any rent when due, or any other failure to comply with the conditions of such lease or ordinance, shall work a forfeiture of said lease, and of such stand or stall.

SEC. 332. No person without a lease, or other proper permit from the city market inspector, or whose lease or legal permit shall have been forfeited, shall, for any purpose, occupy any stand or stall in said market or market place.

SEC. 333. No transfer of any stand or stall shall, or can, be made, without the written consent of the city market inspector; and any person violating any of the provisions of this or the next preceding section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be punished by a fine of not less than three nor more than fifty dollars.

SEC. 334. The renting of all stands and stalls in the market shall be subject to the condition that the lease therefor may be cancelled by the city at any time after three months notice to the lessee, and returning to him the proportionate amount of rent paid, according to the unexpired time of the lease.

SEC. 335. It shall be the duty of the city market inspector, first, to exercise a general supervision over the market house, and to enforce the regulations established for the government thereof; second, to assign places for wagons and persons attending the market, and enforce order among them; third, to exercise a general care and custody of the market house and all appurtenances thereof; fourth, to examine the quality of all articles offered for sale in the market, and to seize all blown, unsound, diseased, impure or unwholesome articles exposed for sale at any place within the city; fifth, to examine weights and measures of all articles offered for sale at any place in the city, and to seize all which are of less weight or measure than represented by the seller; sixth, to enforce order in the market place

and decide all disputes between sellers and buyers touching the weight or measure of any article; seventh, to attend, either in person or by deputy, at the market every day, during the market hours; eighth, to receive from the committee on public buildings, printed tickets for the rent of stands or stalls, for short periods, and to sign and deliver the same to renters of stalls and stands, and collect the money therefor; ninth, to pay into the city treasury all moneys received by him, on account of the city, at least once in every week; tenth, to inspect all slaughter houses, and see that they are kept clean, and that no diseased or unwholesome cattle or animals are slaughtered for market; to inspect and test the purity, quality and measure of all milk offered for sale, and he shall have full power to enter any premises or open any vessel for that purpose.

SEC. 336. To secure an efficient performance of his duties, the city market inspector is invested with full power and authority to summarially enforce all ordinances, rules and regulations, in all matters connected with the market, and all persons are required to obey his rules, regulations and directions in such matters.

SEC. 337. The city market inspector shall superintend the cleaning of the market house, and market place, and cause the street foot-way and market place to be sprinkled with water, whenever it shall be necessary, to prevent or lay the dust, and for that purpose may use water from the waterworks, and the hose provided by the city.

SEC. 338. The city market inspector shall cause the market house, and market place to be thoroughly cleansed; he shall remove all filth therefrom, and shall keep the footways and steps, in the winter season, free of ice and snow.

SEC. 339. The city market inspector shall keep as many scales and other implements for weighing, duly stamped and certified, as may be necessary to conveniently do all the weighing in said market, and shall whenever requested, weigh all articles belonging to the marketers and others intended for sale, and shall be allowed to charge five cents for each separate or

single lot of articles weighed, to be paid by the person or persons requesting the same to be weighed. Any person who shall weigh any articles of marketing within the market place, and charge therefor, except the city market inspector and city weigh-master, or his legal deputy, shall be deemed guilty of a misdemeanor, and on conviction thereof be fined not less than one, nor more than one hundred dollars for each offense.

SEC. 340. It shall be the duty of the city market inspector to seize all articles offered for sale in market, which are prohibited by ordinance, or which are exposed for sale without the vender having proper authority according to ordinance, or where such articles or things are short in weight or measure, according to the representation of the venders; all of which articles or things so seized, shall be forfeited to the city, and sold at public outcry by the city market inspector, and the proceeds paid into the city treasury; *provided*, that nothing in this article shall prevent the sale of every description or kind of berries, and tender fruits, by the package, and said packages shall not be required to be gauged or stamped, nor forfeited for short weight or measure, but shall be weighed or measured at the option of the buyer.

SEC. 341. It is hereby made the duty of the city market inspector to order or remove from the market house, or market place, in a summary manner, any person who is guilty of any violence, turbulent or disorderly conduct, or who shall in any way interfere with him, or disturb the marketers or buyers; or who shall violate or refuse to obey any ordinance, rule or regulation for the government of the market or market place; or who shall expose as if for sale, sell or attempt to sell, any thing in the market place that is prohibited by ordinance; or who shall sell, or offer for sale, or expose as intended for sale, any thing in the market, or market place, without first having obtained a license or other proper authority so to do, according to the spirit and intent of the ordinances of the city.

SEC. 342. The city market inspector receiving any money in pursuance of the provisions of any ordinance, and failing or



refusing to give the proper receipt therefor, or charging or receiving more than is allowed by ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof fined not less than five dollars nor more than one hundred dollars, and for the second offense he may be removed from office by the city council.

SEC. 343. Said market shall be open for the sale of meats, vegetables, victuals, provisions, and all other articles allowed to be sold therein, during the usual hours of such business every day during the year, Sundays excepted; *provided*, that fresh meats of all kinds may be sold at butchers' stalls on Sunday between the hours of four and eight o'clock a. m. during the months of May, June, July, August and September; and, *provided*, that nothing in this article shall be construed to prevent gardeners, farmers and producers from selling, and offering for sale, vegetables and farm and garden produce within the city limits; and, *provided further*, that nothing in this section shall authorize the sale of fresh meats within the city limits, except as provided by ordinance.

SEC. 344. The city market inspector shall make use of the city bell, and ring it at seven and twelve a. m. and one and six and nine o'clock p. m.

SEC. 345. Every lessee or occupier of a stand or stall, shall cause his stall or stand to be thoroughly cleansed, and all animal or vegetable offal and rubbish to be removed from the market place; and every butcher shall cause his tables, meat blocks, and other fixtures to be thoroughly scraped and cleaned as often as necessary.

SEC. 346. The market shall be supplied with a hydrant for the use of the people attending the same.

SEC. 347. No person except the lessee of a stand or stall shall sell, or offer for sale, in the market house, or market place, any fresh or salted meat of any kind; and no person being the lessee of a stand or stall, shall sell the same by the quarter, or less quantities than one quarter, except at the stall of

which he is lessee; and such sales shall otherwise be made in conformity with the regulations prescribed by ordinance.

SEC. 348. Nothing herein contained shall be construed so as to prevent any farmer from selling meat by the quarter, or to prevent a regularly licensed grocery merchant from selling cured bacon, shoulders, ham, and sides and fowls of any kind or any persons who follow the business of packing beef or pork in the city, from selling bacon, shoulders, ham and sides from his own curing, or spare ribs or sausage meat or other offal meats coming from the meat he cures in the months of October, November, December, January, February and March; or any person from selling wild game not otherwise prohibited, provided that such sales are made out of the market place, but shall nevertheless be subject to the inspection of the city market inspector.

SEC. 349. No person shall sell or expose for sale, in the market or elsewhere any sick or diseased live animal, for the purpose and with the design that the same shall be slaughtered, and used for food, knowing or having reason to believe the same to be sick or diseased.

SEC. 350. No person shall sell, expose or offer for sale, in market, or any other place the flesh of any dead animal, which was sick, overheated or run down by dogs, or otherwise, at or before the time the same was butchered or slain, or which died a natural death, or was killed by accident, or casualty or other means than the usual manner of slaying animals for food; nor shall any person sell, expose, or offer for sale, in this city any putrid, blown, raised, stuffed or unsound meat, flesh, eggs, poultry or other articles of food; nor shall any person in this city sell, expose or offer for sale, the flesh of any bull, boar, ram, dog, cat or other animal not commonly deemed wholesome for food. The city market inspector shall seize any article in this section mentioned which he may find in the market, and cause the same to be condemned and removed; and if the person offering the same, be a lessee of a stall or stand, his lease shall be forfeited; and any person so offending shall be deemed

guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than one hundred dollars.

SEC. 351. Whenever any person shall have sold or disposed of the commodities brought by him to market for sale, he may be required to remove his vehicle from the market place forthwith.

SEC. 352. Coffee and other refreshments may be sold and served at such stands in the market as may be designated by the committee on public buildings subject to the provisions of ordinance; but no person shall in the market sell or give away, any spirituous, fermented or vinous liquors.

SEC. 353. No person shall, during market hours kindle or burn, in or about the market, any fuel without the permission of the city market inspector, or at any other place than that designated by him, except that charcoal under the direction of the city market inspector, may be burned in removable earthen, or metallic vessels, so constructed and placed as effectually to prevent danger to woodwork in the vicinity, or inconvenience to persons passing, from fire therein.

SEC. 354. No person not having lawful business in market, shall sit, lounge or lie, in or about the market place.

SEC. 355. No person in a state of intoxication, shall go upon the market place.

SEC. 356. No person shall suffer to come with him, into, or upon the market place, any dog, or any unruly dangerous animal.

SEC. 357. No person shall sell, expose or offer for sale in market, any horse, cow, ox, mule, ass, hog, or other full grown live quadruped, except at such places as the city market inspector may direct.

SEC. 358. Whenever any article shall be exhibited in market as if the same were intended for sale, whether sold or not or directly offered for sale, such exhibition shall be held to be an exposure of the same for sale, and an offer to sell within the meaning of this article.

SEC. 359. If the lessee of any stand or stall fails for six consecutive days to expose for sale at his stand or stall articles usually sold there, unless such failure be shown to the satisfaction of the city council to have been caused by sickness or other unavoidable circumstances, his lease shall be forfeited.

SEC. 360. If any lessee of any stand or stall shall be twice convicted for violating any ordinance in relation to the market place, his lease shall be adjudged to be forfeited.

SEC. 361. In addition to the rules and regulations prescribed by ordinance, authority is hereby given to the committee on public buildings, and it is made the duty of said committee, to make all other needful rules and regulations touching the designation, location and arrangement of all stands and stalls, and for the arrangement, stationing and removal of all wagons and other vehicles used or brought within the market place, and for the control and management of the business in said market, not inconsistent with the provisions prescribed by ordinance, and it shall be the duty of the city market inspector to carry out and enforce all such rules and regulations provided for said market as herein prescribed.

SEC. 362. Immediately after the making of any rules and regulations for the market, it shall be the duty of the committee on public buildings to cause such rules and regulations to be printed in hand bill form in sufficient numbers for posting, and deliver the same to the city market inspector, to be posted; and the city market inspector shall post up the same in the most conspicuous places in and about the market house and market place, and he shall see that all such rules and regulations are constantly kept so posted up.

SEC. 363. The keeping of meat shops within six blocks of the market house, or a distance equivalent thereto, is hereby prohibited and any person who shall violate the provisions of this section shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than five nor more than twenty-five dollars, and each and every day he shall so violate the same shall be and constitute a separate offense.

SEC. 364. The office of the city market inspector is hereby created. The city weigh master shall be and is hereby made ex-officio market inspector. The city market inspector before entering upon the duties of his office as such, shall execute to the city a bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties and shall receive as full compensation for his duties the sum of two hundred dollars per year.

SEC. 365. It shall be the duty of the said inspector once in every six months to examine and test the accuracy of all weights, measures, scales and other things used by any person for weighing or measuring articles for sale, within the city limits, and to stamp the same with a suitable seal to be prescribed by the mayor when such weights, measures and scales so used are found, or made to conform to the standard prescribed by the laws of the state, and deliver to the owner thereof a certificate of their accuracy; to seize in the name of the city all false weights, measures and scales, which the owner shall fail or refuse to make or have made to conform to said laws; to register the names of all persons whose weights, measures or scales are found to be accurate in a book kept for that purpose, and of all persons who fail or refuse to have the same corrected when found inaccurate, and report such names to the mayor. The inspector shall present a report to the city council at a regular council meeting once every six months the names of the persons and number of weights, measures and scales examined and found by him to be accurate and inaccurate, showing all fees collected and fees due and shall charge the sum of fifty cents as fees for each examination of all weights, measures and scales found in one place of business, and any person refusing to pay said fees shall not be entitled to a certificate.

SEC. 366. All weights, measures, scales or other things used by any person for weighing or measuring any article for sale in this city shall be subject to inspection as hereinbefore provided on the first week of January and July in each year, without regard to the date of any previous certificate. It shall



be the duty of the inspector to examine any scales, weights or measures at any time when requested in writing to do so.

SEC. 367. It shall be the duty of all persons using weights, measures, scales or other things for weighing or measuring any article for sale in this city, to cause the same to be examined, tested and sealed as hereinbefore provided; and whenever the same has not been done at the time of the regular inspection, or within ten days thereafter, it shall be their duty to notify the inspector who shall proceed at once to make said inspection. Any person who, within this city, shall use any false weights, measures or scales, or cause the same to be done, shall be deemed guilty of a misdemeanor, and upon conviction thereof, punished by a fine of not less than five nor more than one hundred dollars.

SEC. 368. Every person who shall sell coal, lime or any other article of merchandise, hay, corn, oats or other garden or farm product in bulk or by the wagon load, within the city of Sedalia, shall cause the same to be weighed on the city scales before delivery unless dispensed with by agreement between the seller and buyer, and for every article or commodity so weighed pay to the city weigher, unless otherwise provided by the city council, the sum of fifteen cents, and the city weigher shall deliver to every such person a certificate thereof, the form of which certificate and the manner of keeping a record thereof and the reports and returns of proceeds for all weighing done by the city weigher on the city scales, shall be prescribed by the committee on public buildings, subject to the approval of the city council.

SEC. 369. No person shall sell any commodity required to be weighed on the city scales unless he shall first obtain a certificate from the city weigher, stating the weight of the load offered for sale; and no person shall purchase any commodity required to be weighed on the city scales unless the person offering the same for sale, shall first produce the above mentioned certificate, *Provided*, that nothing herein shall be so construed as to prohibit any person, firm or corporation doing business under a license issued by the city of Sedalia, from weighing upon

their own scales when the same is bona fide, such articles or commodities as are bought or sold by such person, firm or corporation in carrying on the business for which their license has been obtained.

SEC. 370. It shall be the duty of the city weigh master to measure accurately all loads of wood exposed for sale in the city of Sedalia, except at a regular licensed wood-yard, and furnish to each owner or person in charge of such wood a ticket having legibly inscribed the owners name, the date of measurement and the number of cords in cubic feet of wood contained in such load, signed by the inspector; he shall charge the owner or person having charge of each load of wood for the measuring of the same aforesaid, the sum of five cents for each load, which he shall report monthly to the council.

SEC. 371. Any person violating any of the provisions of this article, or any person or persons, who shall in any way obstruct, hinder or delay any officer or other person in the performance of their duties, as herein provided, by intimidation, threats or otherwise, such person or persons shall be deemed guilty of a misdemeanor and upon conviction thereof, unless otherwise specially provided for, be punished by a fine of not less than one nor more than one hundred dollars.

## CHAPTER 17.

## MISDEMEANORS.

ARTICLE I.—Offenses Against Official Authority.

ARTICLE II.—Offenses Against Public Morals and Decency.

ARTICLE III.—Offenses Against Public Safety and Convenience.

ARTICLE IV.—Offenses Against Public Order.

ARTICLE V.—Miscellaneous Offenses.

## ARTICLE I.

## OFFENSES AGAINST OFFICIAL AUTHORITY.

## SECTION.

372. Officer, to resist, etc., penalty.

## SECTION.

373. Falsely representing, etc.

SECTION. 372. Whoever shall in this city willfully and knowingly obstruct, resist, or oppose any officer of the city, or any other person duly authorized, in executing or attempting to execute and carry into effect any ordinance or order passed or made by the proper authorities of this city, or in serving, or in attempting to serve any legal writ, warrant, process or order, issued by the mayor or other officer of the city, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than one, nor more than one hundred dollars.

SEC. 373. Whoever shall in this city falsely represent or attempt to impose himself upon any person as a policeman, marshal or any other city officer, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than one, nor more than one hundred dollars.

## ARTICLE II.

## OFFENSES AGAINST PUBLIC MORALS AND DECENCY.

## SECTION

- 374. Misdemeanor, to be intoxicated on street, etc., punishment.
- 375. Bathing, etc., exposure of person, punishment
- 376. Gaming tables, keeping, permitting, etc., penalty.
- 377. To be found with lewd women or in bawdy house, or loitering about the streets, etc., punishment.
- 378. Variety show, dance house, to keep, etc., punishment.
- 379. Intoxicating liquor, selling of,

## SECTION.

- etc., after midnight or on Sunday.
- 380. Dram-shop keeper, to employ female other than wife, etc., misdemeanor.
- 381. Stallions and Jacks, keeping, breeding, etc., misdemeanor, when.
- 382. Selling liquor to minor
- 383. Bawdy house, to keep, be found in, etc., misdemeanor.
- 384. Keeper of, who deemed.

SEC. 374. Whoever shall be found in a state of intoxication in any street, highway, thoroughfare, or other public place in this city, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than one, nor more than one hundred dollars.

SEC. 375. Whoever shall bathe, wash or swim in any water course, pool or pond in the city, during the hours of daylight, being naked or not sufficiently clothed to prevent improper exposure of his or her person, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than one, nor more than one hundred dollars.

SEC. 376. Whoever shall in this city set up or keep any gaming table or gambling device at which any game of chance shall be played for money or property, or shall at any such table or device, or at any game of chance, bet, win or lose any money or property, either in specie or by means of anything representing the same, or shall suffer any such table or device at which any game of chance is played to be set up or used in any tenement in his possession or under his control, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than twenty-five, nor more than one hundred dollars.

SEC. 377. Whoever shall be found in a house of ill-fame, or a bawdy house, or whoever shall be found in company with lewd women or prostitutes, or whoever shall be found strolling or lurking about the city after sundown in a suspicious manner, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 378. Whoever shall in this city, manage a variety or other show of immoral, vicious or depraved tendency, keep a dance house, or disorderly house, or shall permit any tenement in his or her possession, or under his or her control, to be used for any such purposes, shall be deemed guilty of a misdemeanor, and upon conviction thereof be punished by a fine of not less than twenty-five, nor more than one hundred dollars.

SEC. 379. Any person having a license as a dram-shop keeper who shall keep open such dram-shop, or shall sell, give away, or otherwise dispose of, or suffer the same to be done, upon or about his premises, any intoxicating liquors during the hours from twelve o'clock at night to the next succeeding daylight, or during the first day of the week, commonly called Sunday, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than ten, nor more than one hundred dollars.

SEC. 380. Any owner, proprietor or keeper of any dram-shop, wine or beer saloon, who shall employ, or suffer to be employed, any female other than the wife, daughter, mother or sister of the owner, as a servant, bartender, waiter, dancer or singer in said dram-shop, wine or beer saloon, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than fifty, nor more than one hundred dollars.

SEC. 381. The keeping and standing of stallions and jacks for breeding purposes within three hundred yards of any house occupied by any family as a residence, within the city, shall be deemed a nuisance, and is hereby prohibited. And whenever any stallion or jack is bred to any mare or jennet within the lim-



its of the city, the same shall be done in an enclosure so as to be entirely shut off from view, from any street or public place in the city, and any person violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars, nor more than one hundred dollars.

SEC. 382. It shall hereafter be unlawful for the keeper of any dram-shop, wine or beer house, to sell, give away, or otherwise dispose of, or suffer the same to be done about his premises, any intoxicating liquors to any minor, or suffer any such minor to play at any game within any such dram-shop, wine or beer house. And any person violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than one dollar, nor more than one hundred dollars.

SEC. 383. Whoever shall, in this city, keep a bawdy house, house of ill fame or of assignation, or shall keep or occupy any room or rooms to which any person or persons shall resort for the purpose of prostitution or illicit commerce, or whoever shall be found in such room or rooms without being able to give a good reason or account therefor, or whoever shall permit any tenement in his or her possession, or under his or her control, to be used for any such purpose, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty, nor more than one hundred dollars.

SEC. 384. Every person who shall appear to be, or act as master or mistress, or have the care, use or management of any tenement in which is kept any bawdy house, house of ill fame or assignation, shall be deemed the keeper thereof, within the meaning of the next preceding section.

## ARTICLE III.

## OFFENSES AGAINST PUBLIC SAFETY AND CONVENIENCE.

## SECTION.

- 385. To obstruct sidewalk with wagon, horse, etc., or to drive or ride at immoderate pace, misdemeanor.
- 386. Conductor, etc., bringing pauper, etc., in city, misdemeanor.
- 387. Ashes, paper, straw, etc., thrown upon street.
- 388. Water, slop, etc., thrown from window.
- 389. Offal, refuse, dead animals, etc., placed upon street, punishment.
- 390. Street or sidewalk, obstruction of, misdemeanor.
- 391. Obstruction of, by railroad, car, etc.
- 392. Cellar door, grating, etc., left open, misdemeanor.
- 393. Minor, to climb or hang upon car.

## SECTION.

- 394. Birds, to kill, rob nests, etc., punishment
- 395. Car, locomotive, etc., to jump from, climb upon, etc., misdemeanor.
- 396. Depot, etc., to loiter or loaf about, when.
- 397. Applicable, to whom.
- 398. Street railway, obstruction of, etc., misdemeanor.
- 399. Hedge fences, to be cut, trimmed, etc., failure to, misdemeanor.
- 400. Coal oil, etc., not to be kept in excess of three barrels, when.
- 401. Violation of preceding section, punishment
- 402. Barbed wire fence along street, etc., misdemeanor.

SECTION 385. Whoever shall in this city lead, drive, ride or place any beast of burden or any vehicle on any sidewalk or footway otherwise than going into or going out of any premises owned or occupied by him or his employer, or shall hitch or fasten any horse or other animal to any railing, fence, tree or in any manner so as to obstruct any sidewalk or footway, or shall run any horse, mare, gelding, mule, jack or jennet, or drive any wheel carriage beyond a moderate pace in any street or public highway within the city, unless in case of urgent necessity, or who shall leave any team or beast of burden in any of the streets, alleys or public places hitched to any wagon, carriage, dray or other vehicle, whereby such team or beast of burden will be left in danger of running away, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 386. Any conductor of any train of any railroad company running its cars into or through this city, or any other

person who shall bring into, put off, or leave in this city any pauper, lunatic, or person of unsound mind, without protection, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 387. Whoever shall in this city throw upon any street any ashes, loose paper, straw, or broken boxes, or any other rubbish that is liable to communicate fire, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than five nor more than twenty dollars.

SEC. 388. Whoever shall throw from the windows or upper stories of any buildings in this city, into the street or alley or private ground, not owned or controlled by themselves, any water, slop, or rubbish, or any other thing calculated to endanger the comfort or safety of persons passing along the street or alley, or using such private ground, shall upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one, nor more than one hundred dollars.

SEC. 389. Whoever in this city shall empty any dirt, stone or gravel, or place any dead animal of any kind whatever or any sick, crippled or diseased animal liable to die, or any offal, rubbish, refuse, or offensive matter of any description upon any street, alley or avenue, or upon any lot or piece of ground except such as the city shall designate for that purpose, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than one, nor more than one hundred dollars.

SEC. 390. Whoever shall in this city obstruct any street, alley or sidewalk by putting merchandise or any other thing thereon, or suffering or causing the same to be done, except in receiving or discharging goods in due course of business, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than one, nor more than one hundred dollars.

SEC. 391. Whoever shall in this city obstruct any street for ten minutes at any one time, by suffering any locomotive or railroad cars to stand on any railroad tracks where the same shall cross any such street, so that persons and teams can not cross said railroad, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than ten, nor more than one hundred dollars.

SEC. 392. Whoever shall keep or leave open any cellar door or grating of any vault, on any street, highway or sidewalk, or shall suffer any such grating or door belonging to the premises occupied by him to be in an insecure or unsafe condition, or whoever shall suffer any well, cistern or other excavation on premises owned or occupied by him to remain uncovered or in an unsafe condition, shall, be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than five, nor more than one hundred dollars.

SEC. 393. Any minor under the age of eighteen years who shall, without having authority to do so, mount or climb upon, enter or hang to any car or locomotive engine while the same is in motion, or is attached to any train or locomotive engine, or while the same is standing upon any track within the city, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than one, nor more than one hundred dollars.

SEC. 394. Whoever shall kill, attempt to kill or injure any of the wild birds at large in this city, or to rob, destroy, or in any way unnecessarily molest the nests of such birds, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than one, nor more than twenty dollars.

SEC. 395. Whoever shall mount, or climb upon, hang to, or enter, or jump from, any car or locomotive engine, while the same is in motion, or attached to any train or locomotive engine, or while the same is standing upon a track in this city, or upon any street car, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five nor more than one hundred dollars.

SEC. 396. Whoever shall loiter or loaf in, around or about any railroad depot, shop, yard, or office, without being able to give a good account of himself, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one nor more than fifty dollars.

SEC. 397. The two preceding sections shall not apply to any employes of the railroad company then acting as such, nor any passenger, or under the rules of the company then operating the road, and it shall devolve on the defendant to set up and show such excuses.

SEC. 398. Any person who shall place upon the street railway in this city any obstructions, rocks or torpedoes, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than five nor more than one hundred dollars.

SEC. 399. Every person owning a hedge fence upon the line of any public street or alley in the city is hereby required to cut the same down to the height of not more than four feet, once in every year, and in no case shall any such hedge be allowed to extend over or into any sidewalk, street or alley, or in any manner obstruct such sidewalk, street or alley, and all such hedges shall be trimmed and cut so as not in any manner be dangerous or inconvenient to the use of such sidewalk, street or alley to the public. And it shall be the duty of the city marshal to notify, in writing, the owner or their agents, to cut and trim such hedges as herein required and any owner of such hedges who shall fail to comply with the provisions of this section within thirty days after such notice shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than one nor more than one hundred dollars, and the city marshal shall or may cut and trim the said hedges at the expense of such owner.

SEC. 400. All persons owning, controlling, trading in, or in any manner connected with, or having an interest in coal oil, petroleum or gasoline, or other combustible or explosive materials of the same or like nature, shall not keep the same within



any building within the city limits in quantities exceeding three barrels, in any one building or place of business. But all such persons may be permitted to keep such combustible or explosive materials in greater quantities than three barrels, within the city limits: *Provided*, that the same shall not be stored or kept in any building, but placed outside of any building, in some open space where the same may be easily removed in case of fire; and such commodity, when placed outside of any building, shall not obstruct any sidewalk, street or alley.

SEC. 401. Any person violating any of the provisions of the next preceding section, shall, be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than ten, nor more than one hundred dollars.

SEC. 402. It shall be unlawful for any person to erect or maintain along any public street, alley or other highway, within the corporate limits of the city of Sedalia, any fence composed in whole or part of barb wire. Any person violating the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five, nor more than twenty-five dollars, and each day that such fence shall be allowed to stand shall constitute a separate offense.

## ARTICLE IV.

## OFFENSES AGAINST PUBLIC ORDER.

## SECTION.

403. Three or more to agree to do unlawful act, misdemeanor.
404. Religious worship, disturbance of, what.
405. Lawful assembly, etc., disturbance of, loitering about streets, hotels, etc., misdemeanor, when.
406. Bell, etc., used at auction, when.

## SECTION.

407. Gun, etc., discharge of.
408. Wife, child, etc., mistreatment of.
409. Disturbance of peace, what, punishment.
410. Toy pistol, sale, loan, etc., to minor.
411. Discharge of in city limits, misdemeanor.

SECTION 403. Any three or more persons who shall in this city assemble together with an intent, or being assembled, shall mutually agree, to do any unlawful act with force and violence, against the property of this city, or the person or property of others, or against the peace, or to the terror of others, or shall make any movement or preparation therefor, and any person present at such meeting or assembly who shall not endeavor to prevent the commission or preparation of any such unlawful act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 404. Whoever shall disturb or interrupt any assembly or congregation met for religious worship, by making any noise, or by rude and indecent behavior, or by profane language, within or near the place of such meeting of such assembly or congregation, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 405. Any person who shall in this city disturb any lawful assembly of people, by rude, boisterous or indecent behavior, or shall be found loitering so as to hinder, delay or annoy any person or persons at the corner of the streets, or at any place on any street or thoroughfare, or in or about any

place of amusement, or hotel, depot, offices or any other place of business, or in or about the postoffice, and refuse to disperse from or vacate such place when requested to do so by any police officer, or any person having lawful control of any such place or places, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars.

SEC. 406. Whoever shall use, or cause to be used, any bell or other loud-sounding instrument as a means of attracting people to an auction or other place, whereby persons in the same vicinity shall be annoyed or disturbed, or the peace, good order or quiet of the city shall be disturbed, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than one hundred dollars.

SEC. 407. Whoever shall fire off or discharge, within the city limits, any musket, fowling piece, gun, revolver, pistol or other firearms, loaded with gunpowder or other explosive or combustible material, or any air gun, shall be deemed guilty of a misdemeanor.

SEC. 408. Whoever shall cruelly or inhumanly beat, injure or mistreat his own wife or child, or step-child or apprentice, or any minor under his or her control, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten nor more than one hundred dollars.

SEC. 409. Every person who shall willfully and unlawfully disturb the peace of the city, or of any neighborhood of the city, or any family or person, by loud and unusual noise, or by profane or obscene or indecent or offensive language, or by any lewd or dangerous or indecent conduct or carriage, or by challenging, or threatening, or assaulting, striking or attempting to strike, or by fighting another, and whosoever shall unlawfully permit any conduct in or about any house or premises, under his or her management or control, whereby the peace and good order of the city, or any neighborhood in the city, or any family or person shall be disturbed, shall be deemed guilty of a

misdemeanor, and upon conviction, shall be punished by a fine of not less than one nor more than one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment.

SEC. 410. Any person who shall sell or offer for sale, loan or barter, to any minor, a pistol, or pistols commonly designated as toy pistols, within the City of Sedalia, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars.

SEC. 411. Any person who shall carry, exhibit, display or discharge within the corporate limits of the City of Sedalia, Missouri, any pistol commonly designated as a toy pistol, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than five nor more than one hundred dollars.

## ARTICLE V.

## MISCELLANEOUS OFFENSES.

## SECTION

- 412. Misdemeanor, to exhibit stallion, jack, bull, etc., on street, etc.
- 413. Bicycle, roller skates, etc., to use, etc., on sidewalk.
- 414. Running steam engine, exhibiting machinery, etc., on street, when.
- 415. Wagons, etc., standing upon street, etc., when.
- 416. Hand bill, etc., to post on property, when, on sidewalk.
- 417. Policeman's whistle, other than officer to blow, misdemeanor.
- 418. False alarm of fire, unlawful.
- 419. Horse, etc., hitched to tree or case, etc., misdemeanor.
- 420. House, fence, etc., to cut, injure, deface, etc.
- 421. Trespass on property of associations, etc., when.
- 422. To break or escape from calaboose or officer.
- 423. To convey means of escape to prisoners.
- 424. Escape, etc., from street commissioner, penalty.
- 425. Rubbish, filth, etc., on vacant lots, etc.
- 426. Dirt, offal, etc., to spill or drop on street, misdemeanor.
- 427. Lamp post, gas jet, etc., to deface, hitch to, etc., misdemeanor.
- 428. Spikes, etc., along railings, etc., unlawful.
- 429. Dogs, etc., to cause to fight on street, etc.
- 430. Games, etc., on street, prohibited, what.

## SECTION

- 431. Gunpowder, etc., what amount to be kept, etc.
- 432. Personal property, to buy etc., from minor, misdemeanor.
- 433. Concealed weapons, carrying of.
- 434. Assault, when not otherwise defined.
- 435. Fight, etc., by agreement or otherwise, when.
- 436. Lodger, etc., in bawdy house, etc., misdemeanor.
- 437. Prostitute, etc., to ply vocation.
- 438. To rent, occupy, etc., rooms for prostitution.
- 439. Petty larceny, what constitutes.
- 440. Disorderly house, etc., to keep, etc.
- 441. Exposure of person, lewd conduct, sale of immoral book, etc., misdemeanor.
- 442. Misdemeanor, penalty, when not otherwise prescribed.
- 443. Pigeons, to keep, have, etc., misdemeanor.
- 444. Marshal to shoot, when.
- 445. Poles, to mar, or post bills on, etc., misdemeanor.
- 446. Shade trees and public property, to injure, etc.
- 447. Vagrants, who deemed, punishment.
- 448. Tree, fence, etc., to break, cut, etc., punishment.
- 449. Sidewalks, grass, weeds, etc., to be cut from, penalty for failure.

SECTION 412. No person shall exhibit any stallion, jack or bull upon any public square, street, avenue or alley within this city.

SEC. 413. It shall be unlawful for any person to push or ride any bicycle or tricycle on or over any sidewalk, or skate on



or over any sidewalk on roller skates, and any person who violates this section shall be guilty of a misdemeanor.

SEC. 414. No person shall exhibit any kind of machinery upon any public square, street, avenue or alley within this city, and no person shall run or take any road steam engine through any such square, street, avenue or alley unless he shall send a messenger along with, and at least one hundred feet in advance of, such engine to notify the public of its coming. And it shall be unlawful for any person to blow or sound the whistle of any such engine while passing through said city. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten dollars nor more than fifty dollars.

SEC. 415. No licensed vehicle used for job hauling, nor any wagon loaded with wood, corn, hay, straw, oats or melons, shall stand upon any public square, street, avenue or alley within this city for the purpose of soliciting custom, trade or business. All such vehicles and wagons shall stand upon one of the city lots.

SEC. 416. No person shall within this city, paste, tack, nail, post, paint, stamp or print any poster, hand bill, card, advertisement or notice of any kind whatever, upon any wall, fence, house, door post, either private or public, without first having obtained permission, in writing, from the owner or agent of the property on which the same is situated. And no such hand bill or advertisement shall be posted or pasted on or upon any sidewalk whatever.

SEC. 417. No person except executive and police officers of the city and persons authorized by the mayor or marshal shall blow or sound the whistle known as "Bank's Patent," or "Overman Wheel Company's whistle," commonly called a policeman's whistle.

SEC. 418. No person shall, intentionally, give or make, or cause to be given or made, any false alarm of fire.

SEC. 419. No person shall hitch or fasten, or cause to be hitched or fastened, any animal to any ornamental or shade

tree, in or upon any street, avenue, alley, sidewalk, park, public square, or to any case or box around any such tree; nor shall any person stop, stand, or fasten any animal so near to any such tree, case or box, that such animal can bite, or injure such tree, case or box; nor shall any person climb up or upon any such tree, case or box.

SEC. 420. Whoever shall within this city tamper with, break or cut, deface or injure, in any manner whatever, any house, building, fence, gate, sign, tree box, ornament or shade tree, shrubbery, lamp post, awning post, telephone, telegraph or electric light pole or wire, or fire alarm box or wire, or any other property of any kind belonging to the city, or to any private person, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten nor more than one hundred dollars.

SEC. 421. Whoever shall enter upon the enclosed grounds of any private park, fair association, agricultural or horticultural society, or into any building, house or out-house, or property of any such park or association, at any time, without the consent of the owner or occupier thereof; and whoever shall climb upon or over the fences, enclosures, buildings or property thereof, or whoever shall in any way injure or damage any fence, house or out-house, or any property of any such park or association, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than one nor more than twenty-five dollars.

SEC. 422. If any person confined, imprisoned or detained in the city prison or calaboose, or be in charge of any police officer, or other person having authority to arrest or detain him upon a charge of a violation of any ordinance of this city, or after a conviction for such offense, shall break said prison or calaboose and escape therefrom, or from any such officer, he shall be deemed guilty of a misdemeanor.

SEC. 423. If any person shall convey into the city prison or calaboose any disguised instrument or thing proper or useful to aid any prisoner detained in the city prison or calaboose to

escape therefrom, whether such escape shall be effected or not, he shall be deemed guilty of a misdemeanor.

SEC. 424. Any prisoner or person committed to the city prison or calaboose by reason of a default in payment of any fine or costs, or any portion thereof, who, while in charge of the street commissioner at work on the streets, or going to or from work on the streets, shall escape or attempt to escape from the said street commissioner, shall be deemed guilty of a misdemeanor.

SEC. 425. It shall be the duty of every owner of vacant property, and every agent or other person having control, charge, authority of management over or concerning any such property, to keep the same free and clear from any and all rubbish and filth of every kind and description, and of all weeds, water, pools and ponds. Any person violating any of the provisions of this section shall, on conviction, be deemed guilty of a misdemeanor, and shall be fined for each and every day, or fraction thereof, he shall allow or permit any such rubbish, filth, water, pools or ponds to be and remain on any such vacant property, in any sum not less than one nor more than twenty-five dollars.

SEC. 426. Every person engaged in hauling or removing earth, sand, rock, manure, rubbish, offal or other material shall have boxes on his wagon, cart or other vehicle, and the same so constructed with good, tight side, end and bottom boards, as to prevent the dropping, spilling or wasting of such earth, sand, rock, manure, rubbish, offal or other material in or upon any street, avenue or alley, and no person shall drop, waste, spill or deposit any such earth, sand, rock, manure, rubbish or other material on or upon any street, avenue or alley.

SEC. 427. No person shall wilfully or carelessly break, injure, deface or damage or otherwise interfere with any lamp post or public lamp, gas jet or any lamp, gas jet or light of any kind, kept or maintained at any place for public safety or convenience, or in compliance with the provisions of any ordinance, or shall, without authority, light or extinguish any

such lamp, or shall hitch or fasten any animal to any lamp post, telegraph pole, telephone pole, fire plug or hydrant.

SEC. 428. No person shall place, or permit to be placed or remain, on or along any railing or building front, or any part of any building, fence or premises, adjacent or contiguous to any street or sidewalk, any spikes or sharp pointed cresting, or any barbed wire, or any other thing dangerous or liable to snag, tear, cut or otherwise injure any one coming in contact therewith.

SEC. 429. Whoever shall purposely cause dogs or other animals to fight upon the square, streets, alleys or public places of the city shall be deemed guilty of a misdemeanor.

SEC. 430. No person shall in this city, on any square, street, avenue, alley or public place, play at any game of amusement, or engage in any sport or exercise likely to scare horses, injure passengers or embarrass the passage of vehicles, or shall purposely frighten any horse or other animal.

SEC. 431. No person shall keep in any one building or place within the fire limits of the city, a greater quantity of gunpowder or blasting powder than seventy-five pounds, or nitroglycerine one pound, or gun cotton ten pounds, or naphtha one barrel, or coal or carbon oil five barrels, or giant powder twenty-five pounds, and no powder magazine shall be located within the city limits.

SEC. 432. Any person who shall, within this city, buy or receive from any minor any jewelry, harness tools or other personal property, without the written consent of the parent or guardian of such minor, shall be deemed guilty of a misdemeanor.

SEC. 433. No person shall in this city, wear under his clothes, or concealed about his person, any pistol or revolver, slung-shot, cross knuckles, knuckles of lead, brass or other metal, or any bowie knife, or other dangerous or deadly weapon. Any person, violating any provision or requirement of this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before the police judge, shall be fined

not less than twenty-five nor more than one hundred dollars, or by imprisonment in the city jail not less than five days nor more than three months, or by both such fine and imprisonment: *Provided*, however, that this section shall not be so construed as to prevent any United States, state, county or city officer, or any member of the city government, from carrying such weapons as may be necessary in the proper discharge of his duties. Any defense that would be valid under the charge of carrying weapons concealed in a state case shall be a valid defense to a charge made under this section.

SEC. 434. Any person who shall assault or beat or wound another, under such circumstances as not to constitute any other offense as defined by the statute of the State of Missouri, shall, upon conviction before the police judge, be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment.

SEC. 435. If two or more persons shall in any public place in this city, voluntarily or by agreement, engage in any fight, or use any blows or violence toward each other, in an angry or quarrelsome manner, or do each other any willful mischief, or if any person shall assault another and strike him, in any public place to the terror or disturbance of others, the person or persons so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment.

SEC. 436. Any person, male or female, who shall in this city, be the inmate of, or boarder or lodger in, or who shall in any way contribute to the support of any bawdy house, house of ill-fame, assignation house, or other place kept or maintained for the practice of fornication, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than five nor more than one hundred dollars.



SEC. 437. No prostitute, courtesan or lewd woman shall, within the limits of this city, by word, sign or action, ply her vocation on any street, avenue or alley in this city, or in any other public place, or at any door or open window of the house or room she may occupy; any such prostitute, courtesan or lewd woman who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five nor more than one hundred dollars for every such offense.

SEC. 438. Every person, male or female, who shall rent, keep, occupy or have in his or her possession or under his or her control or management, any room or rooms to which men resort for the purpose of prostitution or fornication with such female, or any other female, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, before the police judge, shall be fined not less than five dollars nor more than one hundred dollars.

SEC. 439. Every person who shall steal, take and carry away, within this city, any money or personal property or effects of another under the value of thirty dollars, not being the subject of grand larceny, without regard to value, shall be deemed guilty of petit larceny, and upon conviction before the police judge, shall be punished by imprisonment in the city jail not exceeding three months, or by fine not exceeding one hundred dollars or by both such fine and imprisonment.

SEC. 440. Any person keeping, permitting or maintaining a disorderly house or suffering or permitting to assemble or congregate in or about his house, or place of business, idle, vicious, hallooing, drunken, quarrelling or swearing person or persons making loud noises and disturbing the neighborhood, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than one hundred dollars.

SEC. 441. No person shall be or appear in or upon any street, avenue, alley, park, public place or place open to the public view, in a state of nudity, or in a dress not belonging to

his or her sex, or in any indecent or lewd dress, or shall make any indecent exposure of his or her person, or be guilty of any unseemly, obscene or filthy act, or of any lewd, indecent, immoral or insulting conduct, language or behavior; or shall exhibit, or cause or permit to be exhibited, circulate, distribute, sell, offer or expose for sale, or give or deliver to another, or cause the same to be done, any lewd, indecent or obscene book, picture, pamphlet, card, print, paper, writing, mold, cast, figure or other thing, or shall exhibit or perform, or cause or allow to be exhibited or performed, in or upon any house, building, lot or premises owned or occupied by him, or under his management or control, any lewd, indecent or immoral play or other representation. Any person violating any provision or requirement of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five nor more than one hundred dollars.

SEC. 442. Any person violating, failing, neglecting or refusing to comply with any provision, regulation or requirement of this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police judge, shall, where no other penalty is provided, be fined not less than one dollar nor more than one hundred dollars, or be imprisoned in the city jail not exceeding three months, or by both such fine and imprisonment.

SEC. 443. It shall be unlawful for any person to own or have about his premises any pigeon or pigeons, and any person owning any pigeon or pigeons, on allowing the same to be upon, on, or about his premises, or premises occupied by him, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be punished by a fine of not less than one nor more than twenty dollars.

SEC. 444. It shall be the duty of the city marshal to shoot or cause to be shot, any and all pigeons found or seen within the city limits, and this section shall not be deemed to conflict with any ordinance prohibiting the shooting of birds other than pigeons, and any person authorized by the marshal to shoot

said pigeons, shall be so authorized in writing, duly signed by said marshal.

SEC. 445. Any person or persons who shall post any bills, advertisements or other paper upon any painted telegraph, telephone, electric light pole, or any other painted pole or poles erected in the City of Sedalia, by virtue of authority from such city, or shall in any manner whatever willfully mar, deface or otherwise injure any such poles, shall be deemed guilty of a misdemeanor, and upon conviction, be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 446. Every person who shall willfully and unlawfully injure, break or destroy any shade tree in any street of Sedalia, or in and upon the court house square, or who shall willfully or unlawfully injure, break or destroy any public property belonging to the city or the county within the city limits, or who shall commit any nuisance thereon, or who shall willfully injure or destroy any grass or sod upon the court house square, or other public ground within the city, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than one nor more than one hundred dollars.

SEC. 447. Every person who may be found loitering around houses of ill fame, gambling houses, or places where liquors are sold or drunk, without any visible means of support, or shall attend or operate any gambling device or apparatus, or be engaged in the practicing of any trick or device to procure money or other things of value, or shall be engaged in any unlawful calling whatever, and every able-bodied married man who shall neglect or refuse to provide for the support of his family, and every person found tramping or wandering around from place to place without any visible means of support, shall be deemed a vagrant, and upon conviction thereof, shall be punished by imprisonment in the city jail not less than twenty days and not to exceed three months, or by fine not to exceed one hundred dollars and not less than twenty dollars, or by both such fine and imprisonment.

SEC. 448. It shall be unlawful for any person or persons to willfully break, destroy, cut, carve or mutilate any tree, shrubbery, fence, house or building of any kind or character of property in this city. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than two nor more than twenty dollars for each and every offense.

SEC. 449. All owners and agents, or lessees of any lot or tract of ground within the limits of the city, along or around which there is a sidewalk constructed by authority of an ordinance of the city, shall at all times keep such sidewalks clean from any grass, weeds or other vegetation tending to obstruct, in any manner, the free passage of pedestrians over sidewalks, and such owner, agents or lessees shall cut down and clear away from any such walks all weeds, grass and other vegetation as often as may be necessary to keep sidewalks clear as above required. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not more than one hundred dollars and not less than one dollar.

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## CHAPTER 18.

### NUMBERING OF HOUSES.

#### SECTION.

450. Numbers, places of beginning.

451 Manner of.

#### SECTION.

452 To mutilate number, etc., misdemeanor.

SECTION 450. Each and every house in the city shall be properly and uniformly numbered as follows: All houses on streets crossing Main street shall be numbered commencing at Main street north and south; all houses on streets crossing Ohio shall be numbered commencing at Ohio street, east and

west; and all houses north of the Missouri Pacific Railroad on streets crossing Lamine street, shall be numbered, commencing at Lamine street, east and west.

SEC. 451. All numbers shall commence in each block at an even hundred and increase to the end of the block in the direction of numbering, the even numbers being on the right hand and the odd numbers on the left hand side. Such numbering shall begin on each street running either way with an even hundred and shall extend to the city limits, allowing twenty-two and one half feet or thereabouts for each number.

SEC. 452. Any person violating or neglecting to comply with any of the provisions of either of the two preceding sections or any person who shall destroy or in any way mutilate any number of any house shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one nor more than twenty dollars.



## CHAPTER 19.

## OFFICERS OF THE CITY.

ARTICLE I.—Elections, Regulations Governing.

ARTICLE II.—Mayor.

ARTICLE III.—City Clerk, Collector, Treasurer.

ARTICLE IV.—City Attorney.

ARTICLE V.—Street Commissioner.

ARTICLE VI.—Marshal and Police.

ARTICLE VII.—Police Regulations.

ARTICLE VIII.—Suspension and Removal of Officers.

ARTICLE IX.—Salaries of Officers.

## ARTICLE I.

## ELECTIONS, REGULATIONS GOVERNING.

## SECTION.

- 453. Time of holding, officers to be elected, etc., qualification of councilmen, etc.
- 454. State laws to govern, except as to clerk, etc.
- 455. Places, judges, etc., of election, council to fix, appoint, etc.—Judges and clerks, duty of—Polls, open when.
- 456. Returns and certificates, duty of mayor, clerk, etc., concerning.
- 457. Oath of office.
- 458. Certificate and oath, to be pre-

## SECTION.

- sented to council, etc., when.
- 459. Meetings of council, when—Special, when and how.
- 460. Vacancy in office, how filled.
- 461. Street commissioner, police, etc., appointment of.
- 462. Appointive officers, term of.
- 463. Council may appoint, when.
- 463 a. City marshal, bond of, etc.
- 464. Collector, bond of.
- 465. Assessor, bond of.
- 466. Treasurer, bond of.
- 467. Policemen, bond of.

SECTION 453. There shall be held a general election in the City of Sedalia, Missouri, on the first Tuesday of April, 1894, and every two years thereafter, for the election of a mayor, marshal, police judge, city attorney, treasurer, assessor,

collector, and such other officers as may be made elective by the charter of said city, and all elective officers shall hold their respective offices for two years and until their successors shall be elected and qualified; and there shall also be held an election in each ward in the city on the first Tuesday in April, 1894, at the same time the election for other city officers is held, and in every year thereafter, for the election of one councilman from each of such wards, who shall hold his office for two years, and who, in addition to the qualifications now required by law, shall have resided in the city at least one year and in the ward at least six months preceding his election, and shall be at least twenty-five years of age and a citizen of the United States. Whenever there shall be a tie in the election of a councilman or an election for a councilman be contested, the matter shall be determined by the council, by a majority vote of all of the members elected to the council and at the time entitled to seats therein: *Provided*, that no person who is a party to the tie or the contest, shall be entitled to a vote. No person shall be considered a qualified voter in and of any ward who is not a bona fide resident of such ward at the time he offers to vote.

SEC. 454. All city elections shall be held under the provisions of the general election laws of the state: *Provided*, that all certificates of nomination or petition therefor, as provided, to be filed by the state election laws, shall be filed with the city clerk, and not with any other officer, which certificates or other evidence of nomination shall be filed with the city clerk in the manner and form, and within the time provided by the general laws of the state, and all duties specified to be performed by the constable or sheriff in the state election laws, shall be performed by the marshal in city elections; and all duties heretofore provided by general law with reference to city elections, to be done and performed by county clerks, shall, in city elections, be done by the city clerk; and all tickets for city elections shall be printed by the city and at the city's expense.

SEC. 455. At least two weeks before any election for the election of city officers, whether general or special, the council

shall, by resolution or ordinance or otherwise, fix the places of holding such elections in each of said wards, and appoint the judges of election for each ward, who shall take the oaths, appoint the clerks, conduct the election and count up and make their returns thereof, duly certified, to the city clerk, in the manner required by ordinance or the general laws of the state regulating elections for state and county officers and applicable thereto, and not inconsistent with the charter and ordinances of the city and constitution and laws of the state. The judges and clerks of all city elections, in addition to the returns as above provided for, shall, upon their poll books, record the place of residence of each voter, by giving the street, and number when practicable, or by any other description, opposite his name, in a column to be provided for that purpose; and it is hereby made the duty of the city clerk to prepare the poll books and all other blanks used in all city elections, including tickets, in conformity herewith, and deliver or caused to be delivered by the marshal the tickets to the judges of election in each ward of the city. The polls shall be opened at 7 o'clock in the morning, and be continued open until the same hours as state and county elections.

SEC. 456. The city clerk upon the receipt of the returns of such election, shall notify the mayor and president of the council of such fact, and the mayor, city clerk and president of the city council shall proceed without delay to examine such returns, and shall award certificates of election to such persons as they shall find from the returns received the highest number of votes for the office for which they were candidates, said certificates shall be executed by the city clerk, and attested by the seal of the city, and delivered to the person entitled thereto.

SEC. 457. Every officer of the city, whether elected or appointed, shall, upon receiving his certificate, and before entering upon the performance of the duties of his office, take and subscribe an oath, before the clerk of some court of record in the county, judge or justice of the peace of the township, the city clerk or police judge, that he possesses all the qualifi-

cations prescribed for his office by law; that he will support the constitution of the United States and the State of Missouri, the provisions of all laws of this state affecting cities of the third class, and the ordinances of the city, and will faithfully demean himself in office; which oath shall be filed with the city clerk.

SEC. 458. At the first regular meeting of the city council after any general election, election for councilmen or any special election, the persons holding certificates of election as councilmen shall present their certificates of election, accompanied with their oaths of office, whereupon they shall be entitled to their seats; but no person shall hold or exercise the duties of any office under the charter and ordinances of the city until he shall have fully complied with every requirement with reference thereto.

SEC. 459. The council shall hold their regular meetings on the first and third Monday evenings of each month, at seven o'clock and thirty minutes. Whenever the mayor shall deem it necessary to call a special meeting of the council for the transaction of any business he shall issue a call for such special meeting, which shall be in writing, and state the purposes for which such meeting is called, and the time of meeting, and file the same in the office of the city clerk; whereupon the city clerk shall immediately make eight copies of such call and deliver said call, together with said copies to the marshal, and the marshal, or some police officer named by him, shall forthwith deliver one of said copies to each member of the council, if they can be found in the city, and if not found a copy shall be left at the usual place of abode of such absent member with some member of his family over the age of fifteen years. The marshal or officer who shall serve such notices shall make full return of his action, upon the back of the call issued by the mayor, and return the same to the city clerk, who shall read the same at the opening of such special meeting. No business not mentioned in such call shall be transacted at such special meeting.

SEC. 460. If a vacancy shall occur in any elective office, the mayor, or the person exercising the office of mayor, shall cause a special election to be held to fill such vacancy, giving ten days' notice thereof by proclamation published in the newspaper at the time doing the city printing: *Provided*, however, when any such vacancy occurs within six months of any general municipal election, no election shall be called to fill such vacancy, but the same shall be filled by the mayor or the person exercising the office of mayor by appointment: *Provided, further*, that any vacancy in the office of councilman which may occur within six months of any general election for councilmen shall be filled by election, to be held in the ward where such vacancy may occur, and shall be conducted in such manner, in all particulars, as may be prescribed for the election of councilmen at a general election. If a vacancy occur in an office not elective the mayor shall appoint a suitable person to discharge the duties of the same until the first regular meeting of the council thereafter, at which time such vacancy shall be permanently filled in the same manner and subject to the same provisions, in every particular, as appointments for the same place in the first instance.

SEC. 461. At the first regular meeting of the council after an annual election in each year, the mayor shall, with the consent and approval of a majority of the members elected to the city council, appoint a street commissioner and all other appointive officers of the city, whose appointment is not otherwise specifically provided for, and at least six regular policemen: *Provided*, that the mayor shall in cases of emergency have power to appoint such number of extra police as the exigencies of the case may demand.

SEC. 462. All appointive officers shall hold their office respectively for the term of one year and until their successors are elected and qualified, unless sooner removed by proper authority for cause shown.

SEC. 463. If the mayor shall fail to make appointments authorized by the charter and ordinances of the city to be made



by him, with the consent and approval of the council, or if the council shall fail to agree, by the required vote, upon any nomination made by the mayor, at the two first regular meetings of the city council, after such nominations shall be presented to the council, including the meeting at which such nomination shall be presented, it shall then be competent for the council to fill such offices or places by a majority vote of the members elected to the city council, except in the office of street commissioner. If there be a failure to agree upon the nomination made by the mayor for the office of street commissioner he shall nominate other persons, but no person shall be renominated by the mayor for any city office after being rejected therefor by the council. No nominations of appointive officers shall be made by the mayor, or acted upon by the council at any special meeting.

SEC. 463 (a.) The city marshal shall, before entering upon the duties of his office, enter into a bond to the city of Sedalia, Missouri, conditioned upon the faithful performance of his duties, with not less than two securities, in a sum not less than one thousand dollars, to be approved by the mayor.

SEC. 464. The city collector shall, before entering upon the discharge of the duties of his office, enter into a bond to the city of Sedalia, Missouri, conditioned upon the faithful performance of the duties of his office, in a sum not less than twenty thousand dollars, with at least three sufficient securities, to be approved by the mayor.

SEC. 465. The city assessor shall, before entering upon the duties of his office, enter into a bond to the city of Sedalia, Missouri, in a sum not less than one thousand dollars, with at least two good sufficient securities, conditioned upon the faithful performance of the duties of his office, said bond to be approved by the mayor.

SEC. 466. The city treasurer shall, before entering the duties of his office or taking possession thereof, enter into a bond to the city of Sedalia, Missouri, in a sum not less than twenty thousand dollars, conditioned upon the faithful perform-

ance of the duties of his office, and that he will account for all moneys paid to him for the city, said bond to be approved by the mayor.

SEC. 467. Each policeman shall, before taking possession of his office, or discharging any duties thereof, enter into a bond to the city of Sedalia, Missouri, in the sum of not less than five hundred dollars, conditioned upon the faithful performance of the duties of his office, to be approved by the mayor.

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## ARTICLE II.

### MAYOR.

#### SECTION.

- 468. To have general supervision over departments, police force, etc.
- 469. Commissions, appointments, bonds, etc., duty concerning.
- 470. Deeds and certificates to cemetery lots, to sign, etc.

#### SECTION.

- 471. Cemetery lots, duplicate plats to be kept.
- 472. Remit fine, etc, order concerning.
- 473. Office of, hours to be in, etc.
- 474. Vacancy, how filled, etc.

SECTION 468. It shall be the duty of the mayor, in addition to the duties imposed upon him by the laws governing cities of the third class, to exercise a general supervision over all the departments of the city government, and see that the duties appertaining to the various city officers are properly performed. He shall have superintending control over the marshal and police force; and shall also have the power, upon the occasion of any public assemblage within the city, to appoint one or more extra policemen to act during the continuance of such assemblage, if in his judgment the safety of the citizens and the peace and good order of the city require.

SEC 469. He shall sign the commissions and appointments of all the officers elected or appointed in the city, and shall cause the city clerk to attest the same and affix thereto the city seal; and he shall examine all official bonds presented to

him, and whenever satisfied that the same are in all respects sufficient, shall approve the same. Such approval shall be in writing, endorsed on said bond, and shall be signed by the mayor; and whenever, during the term of office of any officer, the mayor shall become satisfied that the surety on the bond of such officer has from any cause become impaired, he shall require such officer, by notice in writing, to give additional security forthwith; and if such officer shall fail, neglect or refuse to give such additional security, it shall then be the duty of the mayor, with the advice and consent of the city council, to remove such officer and take the necessary and proper steps for filling the vacancy caused thereby.

SEC. 470. He shall, on behalf of the city, sign and execute to persons entitled thereto all certificates to purchasers of cemetery lots and cause the same to be countersigned by the clerk and attested by the seal of the city. And he shall, when properly authorized by the city council, sign, execute and deliver all deeds or conveyances, for any real estate which the city may hereafter sell to any party or parties who may have purchased the same.

SEC. 471. He shall keep in his office a duplicate plat of all cemetery lots, with marginal references thereto, which shall at all times show the lots which have been sold, the date of the sale, to whom sold and the lots remaining unsold.

SEC. 472. Whenever the mayor shall conclude to remit any fine or commute any sentence of imprisonment for labor, or of labor for imprisonment, he shall execute and deliver to the police judge an order for such remittal or commutation, which order shall contain the title of the cause, a brief recital of the judgment of the police judge, and shall state explicitly in what manner such judgment is to be changed.

SEC. 473. The mayor shall have an office, to be provided by the city, suitably furnished, and to be kept in the city market house and to be known as the mayor's office. He shall, for the transaction of city business, be and remain in his office one hour in the forenoon and one hour in the afternoon

of each day, except Sunday, said hours to be designated by the mayor.

SEC. 474. When any vacancy shall happen in the office of mayor, by death, resignation, removal from the city office, refusal to qualify or otherwise, the president pro tem. of the council shall, for the time being, perform the duties of mayor until such vacancy be filled; and in case of temporary absence of the mayor or disability to perform the duties of his office, the president of the council shall perform the duties of mayor until the mayor shall return or such disability be removed; during the time the president pro tem. of the council shall act as mayor, he shall receive the same compensation that the mayor would be entitled to. In case of vacancy other than temporary absence or disability, the person exercising the office of mayor shall cause a new election to be held, giving ten days notice thereof by proclamation published in some newspaper published in the city, and doing the city printing; *provided*, when such vacancy occurs within six months of a general municipal election, no election shall be called to fill such vacancy, but the president pro tem. of the council shall fill out such unexpired term.

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### ARTICLE III.

#### CITY CLERK, COLLECTOR, TREASURER.

##### SECTION

- 475. City clerk, election of, term of office.
- 476. Bond of.
- 477. Duties concerning accounts, records, etc.
- 478. Licenses, duty concerning.
- 479. Tax books to be made, extended, etc.

##### SECTION.

- 480. Seal of city, to affix, etc, when,
- 481. Term "City Register," meaning of.
- 482. Compensation of clerk.
- 483. Collector, duties of.
- 484. Treasurer, duties of.

SECTION 475. At the first regular meeting of the city council after an annual election in each year, the council shall, by a majority vote of all the members elected to the council,

elect a city clerk, who shall hold his office for the term of one year and until his successor is duly elected and qualified, unless sooner removed for cause.

SEC. 476. The city clerk shall, before entering upon the duties of his office, enter into a bond to the city of Sedalia, Missouri, with not less than two securities, in a sum not less than two thousand dollars, conditioned for the faithful discharge of the duties of his office, to be approved by the mayor.

SEC. 477. It shall be the duty of the city clerk to keep an exact record of all appointments and commissions of every officer of the city; to cause to be printed all the ordinances passed by the city council and approved by the mayor, or which shall become a law without the mayor's approval, within one month after their passage. Provided however that this ordinance, in revision of the general ordinances of the city shall be published in book form only as is hereinafter provided for. He shall issue all licenses authorized or that may be authorized for the prosecution of any business in the city. He shall keep the journal of the proceedings of the council. He shall take care that all notes, bonds, evidences of debt, records of the city council, official acts of the mayor and all of the records of the city entrusted to him are safely kept, and deliver the same, upon the expiration of his term of office, whole, preserved and undefaced to his successor. He shall charge the marshal and other officers with fines reported by the police judge. He shall be the general accountant of the city, and shall keep a special account with the city collector, treasurer and all other fiscal officers of the city, and shall, for that purpose, make settlement with all the fiscal officers of the city at least once a year and report the same to the council, and such settlements shall be made as often and at such time as the mayor or the city council may direct.

SEC. 478. It shall be the duty of the city clerk to examine all the licenses of all keepers of stores, shops, trades, saloons, or other occupations as are now, or may hereafter be-



come subject to license or taxation for the use of the city; and should it appear to the city clerk that the person or persons keeping such store or stores or exercising any trade or occupation which may be taxed by the authority aforesaid have not complied with the ordinances of the city for their regulation and government, he is required to cause suit to be instituted against all such offenders without delay.

SEC. 479. As soon as the mayor and council shall have procured from the city assessor a certified assessment of all the property within the city made taxable by law for state and county purposes, and the assessed value thereof, as corrected by the board of equalization, and the city council shall have established by ordinance the rate of taxes for the year as required by law the city clerk shall make out appropriate and accurate tax books, and cause to be extended in appropriate columns opposite the name of each person each item of taxable property, as returned by the assessor and board of equalization, the amount of taxes whether general or special due thereon and charge the collector with the full amount of said taxes levied and to be collected, together with all the licenses of every kind to be collected; to preserve and file away all duplicate receipts of the monthly payments made by the collector to the treasurer, and it shall be the duty of the city clerk to report to the mayor, should the collector fail to pay into the treasury his monthly collections.

SEC. 480. The city clerk shall be the custodian of the city seal and it shall be his duty to affix the seal of the city to and attest all official intruments and documents of the mayor and the city; he shall attest and affix the seal of the city to all orders, drafts and warrants drawn upon the treasurer for money.

SEC. 481. In all the ordinances of the city heretofore in force where the term "city register" is used, it shall be construed to mean city clerk, and it shall be the duty of the city clerk to do and perform generally, all such duties as the city register was by ordinances required to do.

SEC. 482. As full compensation for all his duties and services, the city clerk shall receive a salary of nine hundred dollars per annum.

SEC. 483. The city collector shall collect all taxes, both general and special, that shall be levied under the chapter and ordinances of the city, and shall pay over to the city treasurer at the end of each month, all moneys collected during the same, he shall have his office in the rooms of the city hall.

SEC. 484. The city treasurer shall receive all moneys due the city from any and all sources, and pay out the same on warrants ordered by the city council, and signed by the mayor, countersigned by the city clerk, and stamped with the seal of the city; and at the expiration of the term of his offices, he shall deliver to his successor in office all moneys, books, papers and records connected with his office.

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## ARTICLE IV.

### CITY ATTORNEY.

#### SECTION.

485. City attorney, duties generally.  
486. Appeals, duties concerning.

#### SECTION.

487. Absent, sick, etc., to appoint attorney.

SECTION 485. It shall be the duty of the city attorney to attend to all such legal duties as may be required of him by the mayor or councilmen of the city; to give advice when called upon; to attend and prosecute in all cases in behalf of the city; to attend to all cases of writs of errors in the circuit or criminal courts, the St. Louis court of appeals and Kansas City court of appeals or supreme court; to bring suits and to collect all moneys to be collected by suits at law; to take appeal in such cases as he shall deem the interests of the city require, and to prosecute or defend the same in the appellate court to final hearing and decision; to report to the councilmen any legal defects in the city ordinances, or the power of any city officer; to prescribe

the form of all deeds, contracts or other legal instruments executed to or by the city, and, when required to do so by the mayor or city council, shall draft the same. On the expiration of the term of his office he shall deliver to his successor in office all books, papers, records and property pertaining to his office.

SEC. 486. When the city attorney shall deem it proper to take an appeal, or to sue out a writ of error, in any case when the city is interested in the decision of the court trying the same, to the proper appellate court, he shall, for that purpose, make for the city the necessary affidavits, and make and execute, in the name of the City of Sedalia, the necessary papers; and when an appeal is thus taken, he shall report the facts to the mayor, who shall give information thereof to the city council at the first meeting thereafter.

SEC. 487. Whenever the city attorney shall, by reason of temporary absence, sickness or other cause, be unable to attend any court, or the trial of any case, he may, with the consent and approval of the mayor, appoint some competent lawyer to act in his stead for that term, or the trial of any cause or causes.

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## ARTICLE V.

### STREET COMMISSIONER.

#### SECTION.

488. Office of, term, how appointed,  
may be removed for cause.

#### SECTION.

489. Duties of.  
490. Power to make arrests.

SECTION 488. There is hereby created the office of street commissioner, whose term of office shall continue for the term of one year, unless sooner removed for cause; said term to commence in each and every year immediately upon the annual election, or appointment of city officers; said office shall be filled by appointment of the mayor, by and with the advice and consent of the city council by a majority vote of all of the members elected to the council.

SEC. 489. It shall be the duty of said street commissioner: First, to execute all orders of the mayor and city council, in relation to repairing and keeping clean the streets, avenues, lanes and alleys of the city; second, to observe and report to the mayor all obstructions found in any street, avenue, lane or alley within the corporate limits of the city; third, to superintend the repairing, grading and macadamizing of all such streets, avenues and alleys, and the building of crosswalks, and the constructing of sidewalks, and to see that all such work is properly done; fourth, to notify the owners or occupiers of property fronting streets, avenues and alleys to repair sidewalks, and cause them to be kept free from all obstruction; fifth, to observe and report to the committee on streets and alleys all repairs necessary to be made upon any street or alley.

SEC. 490. Said street commissioner shall have power to make arrests for the breach of any ordinance of the city, and he shall report all such arrests to the city marshal. He shall receive for compensation such sum as shall, from time to time, be prescribed by ordinance.

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## ARTICLE VI.

### MARSHAL AND POLICE.

#### SECTION.

- 491. Police force, what to constitute.
- 492. Duties of, concerning arrests, etc.
- 493. Policemen, duties as to marshal, mayor, etc.
- 494. Make arrests, enter houses, etc., when.
- 495. Assistant to act as marshal, when.
- 496. Nuisance, duty concerning.
- 497. Marshal, general duties of, etc.

#### SECTION.

- 498. To attend council, preserve property, etc.
- 499. Policemen, may be suspended when, vacancy how filled.
- 500. Saloons, etc., not to loiter in, drink, etc.
- 501. Property of party arrested, to be taken, how and when.
- 502. Marshal, duties of, continued.
- 503. Arrests, with and without process, when, etc.

SECTION 491. The regular police force of the City of Sedalia, Missouri, shall consist of the marshal, who shall be ex-officio chief of police, the assistant marshal, who shall be chief

of police in the absence of the marshal, and such number of able-bodied policemen as shall from time to time be authorized by the charter and ordinances of the city and deemed necessary by the mayor and council for the proper protection of the citizens of the city and their property. Every policeman appointed as provided by ordinance shall hold his office for the term of one year, and until their respective successors are duly appointed and qualified, unless sooner removed for cause.

SEC. 492. It shall be the duty of the marshal and every policeman to be active and vigilant in enforcing all ordinances of the city in relation to nuisances, misdemeanors and the public peace and good order; and to arrest without process, and take before the police judge for trial, any person who shall, within the city, in their presence, commit any violation of such ordinances, or of the criminal laws of the state; to enter any saloon, dram-shop, bawdy house, or other disreputable place, or into any business house or residence within the city limits, for the purpose of preventing or suppressing any disorderly or riotous conduct of any person therein, and to arrest such person or persons and take them before the police judge for trial; and if such arrest be made in the night time, such persons may be incarcerated in the city prison until the following morning, and until such time as the police judge shall be in his office, when they shall be taken before him for trial as aforesaid.

SEC. 493. It shall be the duty of each and every person appointed policeman to discharge such duties as are required of the marshal, and to perform such other duties as may be required of them by the mayor or marshal; they shall keep watch throughout the city day and night, and shall have the power to arrest malefactors, rogues, thieves, vagabonds and all disorderly persons they may find in the city, and place them in confinement to await trial subject to the mayor's orders; and upon making any arrest they shall report the same to the city attorney.

SEC. 494. The police are hereby authorized to enter any house or inclosure in the city within which any affray, unlawful



assembly, or any disturbance or breach of the peace may occur, and take into custody all offenders therein found; they shall arrest all suspicious persons found lurking or strolling about the city at late hours of the night, unless such persons can give satisfactory account of themselves; they shall have power to arrest any female found on the streets alone, at any hour of the night, under suspicious circumstances; they shall have authority to enter any brothel or house of ill fame, and arrest any person found therein; they shall be general conservators of the peace, and shall, without warrant, arrest any one found guilty of violating any provisions of the ordinances of the city, and lodge him, her or them in the city jail, there to remain until trial in the police court.

SEC. 495. In case of the absence of the city marshal from the city, or inability to act, the assistant marshal shall discharge the duties of marshal, and the assistant marshal shall, during the absence or inability of the marshal to act, perform his duties, and have the same power and authority as the marshal.

SEC. 496. It shall be the duty of the city marshal to take all necessary measures to ascertain all nuisances which may exist within the city limits, and if declared to be so by ordinance to cause the same to be immediately removed, and report the same to the city council; it shall also be his duty to visit all parts of the city, to make diligent inquiry after all breaches of ordinances of the city of Sedalia, particularly such offenses as may be pointed out to him by the mayor or any councilman, and to report the same to the city attorney, who shall prosecute the same.

SEC. 497. The marshal shall at all times perform such duties as are, or shall be, enjoined on him by ordinance, resolution of the city council, or any statute of the state; and further, it shall be his duty to visit all suspicious or disorderly neighborhoods or houses, and all parts of the city where disorder and breaches of the law are most likely to be committed, and to arrest and take into custody, without warrant, all and every person who may be found in the commission of any

offense against the ordinances of the city, and report such arrest to the city attorney. He shall also arrest any and all persons who may be found in any of the streets, or on any of the sidewalks, or in any public place, urinating or doing any indecent act in the presence or view of any female, and shall arrest without warrant any and all persons who may be found in the streets of the city or on the sidewalks in a state of intoxication, and take them to the city jail, there to remain in confinement until perfectly sobered.

SEC. 498. It shall be the duty of the city marshal to attend in person, or appoint one of the city policemen to attend, the city council when in session, and official duties alone shall be an excuse for non-attendance; he shall also collect and preserve all personal property belonging to the city of Sedalia, whenever such property is not in lawful possession of some person employed in the services of said corporation.

SEC. 499. Every policeman shall obey all rules and regulations prescribed by the mayor and marshal, and if any policeman dies, resigns or removes from the city, or shall fail, neglect or refuse to discharge his official duties, or shall be guilty of ungentlemanly conduct, or become intoxicated, the council may by resolution declare his place vacant; and the vacancy shall be filled in the same manner and under all of the provisions concerning appointments in the first instance.

SEC. 500. No policeman, while on duty, shall loaf or loiter in any billiard hall or saloon, nor drink any intoxicating beverage in any saloon, nor play at billiards or any other game in this city.

SEC. 501. No policeman or other person in the employ of this city as such, making an arrest, shall be allowed to take from the party arrested any money or other property except weapons, until such party arrested shall be taken before the city marshal or police judge, or some other responsible party or person, where a search of the person of the party arrested shall be made and a list of his property made in a book kept by the

policemen for said purpose, and attested by the officer or person before whom the search was made.

SEC. 502. In addition to the duties imposed upon him by the laws and ordinances governing this city, it is hereby made the duty of the city marshal: To attend all meetings of the city council; when unable to attend he shall detail a member of the police force to attend in his stead; to execute all orders and serve all notices emanating from the mayor or city council; to collect all dog tax; to pay to the city treasurer, within the first three days of each month, all money collected by him during the previous month for fines and costs in the police court, for dog tax and from sale of impounded animals; and to file the treasurer's receipt therefor with the city clerk; to report to the city collector all persons doing business in this city without the requisite city license therefor.

SEC. 503. It is hereby made the duty of the marshal and policemen at all times to make or order an arrest, with proper process for any and all offenses against the laws and ordinances of Sedalia, and to take the offender before the police judge for trial; and to arrest without process in all cases where any such offense shall be committed or attempted to be committed in his presence, and keep such offender in the city prison or other place to prevent his escape until a trial can be had. It is hereby made a misdemeanor for any marshal or policeman to take any such person so arrested before any justice of the peace for trial, except under the order and direction of the city police judge, and for each violation of this requirement the offender shall be fined not less than five nor more than twenty-five dollars.

## ARTICLE VII.

## POLICE REGULATIONS.

## SECTION.

504. Marshal and police to wear badge.  
505. Marshal and police to wear uniform.  
506. Committee to prescribe uniforms and badges, when—How paid for, etc.

## SECTION.

507. Marshal and police to pay city for badges and uniforms, how.  
508. Penalty for violating section 507.

SECTION 504. The marshal and every policeman of the City of Sedalia, while on duty, shall wear a badge conspicuously displayed on his person, indicating his official position, such badge to be furnished by the city, and to remain the property of the city.

SEC. 505. The marshal and every regular policeman of the City of Sedalia, while on duty, shall appear in full uniform. Said uniform shall consist of coat, pants, vest, and a hat or cap, and shall be of such pattern, color, quality and trimmings as may be prescribed by the mayor and committee on ways and means.

SEC. 506. It shall be the duty of the committee on ways and means to prescribe a uniform, as provided for in the next preceding section, and a badge, as provided for in section 504 of this article, and to procure for the city the necessary number of uniforms and badges, all of which shall be paid for by a warrant drawn upon the city treasurer; and it shall be the duty of said committee to receive bids on the second Monday in May in each year for the furnishing of said uniforms at a stipulated price per suit, and they shall receive and accept the lowest and best bid therefor.

SEC. 507. The marshal and each policeman shall pay to the City of Sedalia for said uniforms the net cost thereof, which sum shall be paid in such installments per month as the ways and means committee may direct, and such installments shall be deducted from the salary of the officers for the month the install-

ment is required to be paid, and a warrant issued to such officer for his salary for that month, less the installment due on his uniform.

SEC. 508. Any marshal or policeman who shall fail to comply with the provisions of this article, after the city has procured the required uniform, shall forfeit to the city all right and claim to any salary, from the time of such offense, until he shall have complied with the requirements of this article; and the amount of such forfeiture shall be reported by the mayor to the city clerk, and the same deducted from such officer's salary.

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## ARTICLE VIII.

### SUSPENSIONS AND REMOVALS.

#### SECTION.

- 509. Mayor empowered to suspend all officers for what causes.
- 510. Suspension, how effected, duties of clerk and marshal toward accused, misdemeanor for suspended officer to attempt to perform duties of office.
- 511. Mayor to lay charges before council, when, council to fix time for hearing, copy of charges to be delivered to ac-

#### SECTION.

- cused, and notice of time of hearing given, how.
- 512. Council to hear evidence, may adjourn from time to time.
- 513. Council to decide case, when, how, etc.
- 514. Who may prefer charges against mayor, result of, to be tried as other like cases.
- 515. Rights of accused, city attorney to prosecute for city.

SEC. 509. The mayor is hereby empowered to suspend from office any elective or appointive officers of the city for any of the following causes: For a willful violation of any of his official obligations; for any culpable official negligence or dereliction of duty; for any conduct inconsistent with his official character and duty; for official incompetency.

SEC. 510. Such suspension shall be effected by an ordinance filed by the mayor in the office of the city clerk, accompanied by a statement of the charges upon which the same is founded, a copy of which shall be forthwith made by the clerk and delivered to the marshal, who shall forthwith deliver the



same to the officer suspended; and if any city officer shall during suspension from office attempt to perform any official duty, he shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police judge, may be fined fifty dollars, and pay the costs of prosecution.

SEC. 511. Whenever any officer shall have been suspended as above provided the mayor shall lay said charges before the council at its first regular meeting after such charges are made; and the council shall without unnecessary delay proceed to investigate such charges upon a day to be by them fixed. The city clerk shall thereupon make out a certified copy of such charges, together with a notice of the day fixed by the council for hearing the same, which certified copy and notice shall be, by the marshal or the person acting as such, served upon the suspended officer in the usual manner provided for by law for serving legal papers.

SEC. 512. Upon the day fixed the council shall proceed, according to such rules as they may adopt, to hear the evidence against and in favor of the accused, adjourning from time to time as may be necessary until they shall have heard all the competent evidence in the case.

SEC. 513. Within three days after all the evidence shall have been taken the council shall vote by yeas and nays upon the charges separately. The question upon each charge shall be, "Is the accused guilty?" If the council, by a majority vote of all the members elected, find the accused guilty of either of the charges, such officer shall by resolution be removed from office and his office declared vacant and the mayor shall thereupon cause said vacancy to be filled in manner provided by ordinance.

SEC. 514. The council or any member thereof may at any time prefer charges against the mayor for any of the causes set out in this article; and the council shall at once proceed to investigate and decide the said charges in the same manner hereinbefore provided in cases of suspended officers. During such investigation it shall be unlawful for the mayor to preside at the

meetings of the council; and should he be found guilty of either or all of said charges preferred against him, the council shall by resolution remove him from office and declare his office vacant; and the president pro tem shall immediately take the necessary steps to fill such vacancy.

SEC. 515. Upon any such trial the accused shall be entitled to be heard by himself, or his counsel in his defense, and the city attorney, or the person acting as such, shall attend the trial and prosecute on behalf of the city.

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## ARTICLE IX.

### SALARIES AND COMPENSATION OF OFFICERS.

#### SECTION.

- 516. General provision.
- 517. Mayor.
- 518. Marshal.
- 519. Police judge.
- 520. Clerk.
- 521. Treasurer.
- 522. Collector.
- 523. Attorney.
- 524. Engineer, civil.
- 525. Assessor.
- 526. Street commissioner.
- 527. Policemen.
- 528. Fire department, chief of.
- 529. Assistant chief of.
- 530. Hosemen of.

#### SECTION.

- 531. Councilmen.
- 532. Board of health.
- 533. Weigh master.
- 534. Sexton of cemetery.
- 535. When paid and how.
- 536. Officer not to retain city money for salary.
- 537. Rodmen, chainmen, inspectors.
- 538. Jury in condemnation proceedings, pay.
- 539. Judges and clerks of election, pay.
- 540. Extra police, pay.
- 541. Witnesses, pay.

SECTION 516. The officers and employes of the city shall receive as full compensation for their services the following salaries and fees:

SEC. 517. The mayor shall receive a salary of six hundred dollars per annum.

SEC. 518. The marshal shall receive a salary of nine hundred dollars per annum and such fees as may be allowed by ordinance.

SEC. 519. The police judge shall receive a salary of nine hundred dollars per annum and such fees as may be allowed by ordinance.

SEC. 520. The city clerk shall receive a salary of nine hundred dollars per annum and such fees as may be allowed by ordinance.

SEC. 521. The city treasurer shall received a salary of five hundred dollars per annum.

SEC. 522. The city collector shall receive a salary of twelve hundred dollars per annum and in addition thereto he shall receive a commission of four per cent on all delinquent taxes collected for the city.

SEC. 523. The city attorney shall receive a salary of nine hundred dollars per annum and such fees as may be allowed by ordinance.

SEC. 524. The city engineer shall receive a salary of fifteen hundred dollars per annum.

SEC. 525. The city assessor shall receive a salary of six hundred dollars per annum.

SEC. 526. The street commi-sioner shall receive a salary of seven hundred and twenty dollars per annum.

SEC. 527. Each regular policeman shall reeeive a salary of seven hundred and twenty dollars per annum.

SEC. 528. The chief of the fire department shall receive a salary of nine hundred dollars per annum.

SEC. 529. The foreman or assistant chief of the fire department shall receive a salary of eight hundred and forty dollars per annum.

SEC. 530. Each hoseman of the fire department shall receive a salary of six hundred dollars per annum.

SEC. 531. Each councilman shall receive a salary of two hundred dollars per annum.

SEC. 532. Each member of the board of health, except the mayor, shall receive a salary of two hundred dollars per annum.

SEC. 533. The city weigh master and ex-officio city market inspector shall receive a salary of one hundred dollars per annum and one-half of all the fees received by him as such weigh master and ex-officio market inspector.

SEC. 534. The sexton of the city cemetery shall receive one hundred dollars per year and such amount for grave digging as may be allowed by ordinance.

SEC. 535. The salaries above provided for shall be computed and payable on the first day of each month, in city warrants, to be drawn as provided for by ordinance, such warrants to be preferred warrants, and to be paid on presentation to the city treasurer prior to general warrants, if sufficient funds be in the treasury.

SEC. 536. No city officer shall be allowed to retain in his hands any of the public moneys collected or paid to him under the pretense of payment for his past services, but they shall pay over all such moneys monthly into the city treasury, and give account of the same at the first meeting of the city council in each and every month, showing the kind of funds paid, whether city warrants or money.

SEC. 537. In the construction of public works and help necessarily employed in connection with the engineering department, inspectors, rod-men and chain-men, employed by the city, shall be paid at the rate following for the time actually engaged in the city services: Inspectors, two and fifty one-hundredths dollars per day; rod men, two dollars per day; chain men, one dollar per day.

SEC. 538. Each juror appointed to assess damages in condemnation proceedings by the city shall receive two dollars per day for each day he is acting in making said assessments.

SEC. 539. Judges and clerks of elections shall each receive three dollars per day for their services.

SEC. 540. Extra policemen appointed by the mayor, under the provisions of the city ordinances, in cases of emergency, shall receive two dollars per day.

SEC. 541. Witnesses summoned before the council or before any committee of the council, or before any committee appointed by the council or mayor, or before any jury in the condemnation proceedings, before the board of health or in the po-

lice court, shall receive one dollar per day; and where such witness lives beyond the city limits they shall receive the same mileage paid witnesses in the circuit court.

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## CHAPTER 21.

### PERMITS.

#### SECTION.

- 542. To erect buildings, etc., must have permit, how obtained.
- 543. Public buildings, plans of to be submitted, etc.,
- 544. Appeals, when permit is refused.
- 545. Street, gutter, etc., to dig or excavate, permit for.
- 546. To dig, etc., paved or macadamized street.
- 547. To place or leave articles on sidewalk, etc.
- 548. Street, alley, etc., to be repaired, etc., how.
- 549. Failure to have permit, etc., misdemeanor.

#### SECTION.

- 550. Red lanterns, to put at excavation, when, indemnity bond to the city.
- 551. Stone, brick, earth, etc., to carry away, must have permit.
- 552. City engineer, to keep record of.
- 553. Night scavenger, to have permit, bond of.
- 554. Street parades, etc., permit for.
- 555. Violation of this chapter misdemeanor.

SECTION 542. No person or corporation shall erect a building or structure of any kind or add to or enlarge or extend any building or structure already erected or which may be hereafter erected, within this city without first having obtained a permit from the city engineer. The application for such permit shall state the exact site to be occupied, the material, dimensions and estimated cost of the proposed building or structure and the probable time to be occupied in building. The city engineer shall thereupon, after an inspection of the premises, or without an inspection, as he may deem fit, if he approve the application, issue a building permit to the applicant giving him permission to erect a building or structure at the place, and of the materials, and of the dimensions mentioned in the application, and authorizing the use and occupation of not more than one third or the roadway and on half of the sidewalk in front of said



premises, and limiting the the time for which said permit shall continue. The city engineer may if he deems proper, require that plans for the proposed erection, alternation or addition be submitted for inspection, before issuing his permit. The gutter or water ways of any street, avenue or alley shall not at any time be obstructed by any building or other materials so as to prevent the free passage of water in and along the same, but the city engineer may in proper cases to be determined by him, authorize the removal of a part or the whole of the sidewalk in front of the premises where the building is to be erected provided a good temporary plank sidewalk shall be constructed over the gutter not less than four feet wide and be kept and maintained free and clear of obstruction and to the satisfaction of the said city engineer.

SEC. 543. The city engineer shall not issue a permit for the erection of any building to be used for public assemblies until he has carefully inspected the plans and specifications thereof, and ascertained that the proposed building shall have sufficient strength and ample means of ingress and egress to secure the reasonable safety of any and all persons who may choose to assemble there; and a copy of such specifications shall be deposited in the office of the said engineer.

SEC. 544. If in any case the city engineer shall see fit to prohibit the erection or alteration of any building according to the plans as submitted, and such prohibition shall appear to the owner or architect to be unreasonable, the said owner or architect shall have the right to appeal to a committee of five experts, who shall be architects or builders, two of whom shall be chosen by the said owner or architect and two by the city engineer, the fifth one to be chosen by the other four and their decision shall be final.

SEC. 545. No person nor corporation shall dig or excavate within, through or under any street, alley, gutter, curb, sidewalk or public place in this city for any purpose, except gas and water pipes, without first obtaining a permit from the city engineer. The application for such permit shall state the

exact location, dimensions and purpose of such digging or excavation. The engineer shall thereupon inspect the locality and if he deem proper issue a permit, authorizing such digging or excavation to be done in such successive portions within such limits of time, and with such safe-guards as he may designate with a due regard for public convenience and public safety.

SEC. 546. It shall be unlawful for any plumber, corporation or other person to dig up or in any manner make any excavation in any of the paved or macadamized streets of the city or that may hereafter be paved or macadamized, without first having obtained a special permit from the city engineer. And any person desiring such a permit shall make written application therefor to the city engineer, which application shall designate the place where, and the reason why, such digging or excavation is intended to be made; and if such digging or excavation is intended to be made for a lawful purpose, the city engineer shall make an estimate of the reasonable cost of the digging, excavation and replacing the street in as good condition as it was before such digging and excavation was made, and such applicant shall, before obtaining such permit, deposit with the city engineer a sum of money equal to the amount of the engineer's estimate of the cost, and thereafter the said engineer shall issue a permit. And all work done under such permit shall be done under the superintendence and to the satisfaction of the city engineer, and if such work is not done to the satisfaction of the city engineer, or the street is not replaced in as good condition as it was before the work was begun, the city engineer, out of the money deposited with him, shall have said work done, and the balance, if any, of said deposit shall be refunded to the applicant.

SEC. 547. No person or corporation, except merchants, in the transaction of their daily business shall deposit, place or leave any material, articles, substance or thing in any street, alley, gutter, sidewalk or public place of this city without first obtaining a permit from the city engineer. Such permit shall be issued by the said engineer if he consider that necessity

exists therefor for such time and to such extent as each case may seem to require.

SEC. 548. Any person or corporation digging or excavating through, under or along any street, alley, gutter, curb, sidewalk or public place in this city by virtue or authority of any permit granted as heretofore provided, or by virtue or authority of any franchise or right heretofore granted by the City of Sedalia, shall cause the street, alley, curb, gutter, sidewalk or public place permitted to be occupied, dug or excavated, to be thoroughly repaired, restored and cleaned to the satisfaction of the city engineer; and in case such digging or excavating is done by virtue of any permit granted as aforesaid, such satisfaction shall be endorsed upon such permit, and no permit not so endorsed shall be a bar or defense to any prosecution or violation of any of the provisions of this chapter.

SEC. 549. Any person erecting any building or occupying any portion of the street, alley, gutter, curb, sidewalk or public place, or digging or excavating as aforesaid, without first obtaining such permit as heretofore provided for, or violating such permit after the same shall have been obtained, shall be deemed guilty of a misdemeanor, and upon conviction therefor, be punished by a fine of not less than one nor more than one hundred dollars, and each and every day he shall continue such building or occupy any portion of the street, alley, gutter, curb, sidewalk or public place or continue such digging, opening or excavation in, on, along or under any street, alley, gutter, curb, or sidewalk or leave either unrepaired, after such conviction, shall constitute a new and separate offense.

SEC. 550. All permits granted by virtue of this chapter shall be upon the application of the owner or authorized agent of the property to be built upon, or on account of or in connection with which the digging or excavation shall be made or done, and should such excavation or digging abut against or close to, or be in or across the street, sidewalk or gutter, the applicant shall build guards about such excavation at least three feet high and keep red lanterns at night at such digging as a

danger signal, and shall enter into a bond to the City of Sedalia, with at least one good security to be approved by the city engineer, in the sum of not less than one hundred dollars, conditioned that he will hold the city harmless and indemnify the city against any loss by reason of any accident to any one arising from the negligence of the owner or authorized agent or his servants or employes, in digging or excavating, or permitting the same to be done, or in refilling in a ditch or in protecting and guarding any excavation or ditch, as herein set out.

SEC. 551. No person shall either by his own hand or by another under his direction dig up, remove or loosen, take or carry away any stone, brick, lumber, planks, blocks, earth, sand, gravel or any other material composing any street, avenue, alley, sidewalk, crossing, curb, guttering or public ground, whether the same be free and loosened or not, without obtaining a permit from the city engineer.

SEC. 552. The city engineer shall keep a record of all permits issued which shall be regularly numbered in the order of their issue, and he shall also file and preserve in his office the applications upon which permits are issued. He shall also keep a record of the number, description and size of every building erected in the city during his term of office, of what materials constructed with aggregates of the number, kind and cost of all buildings.

SEC. 553. All persons engaged in the business of cleaning vaults, privies and water closets, commonly called night scavengers, are hereby required to procure permits from the city clerk before plying their said vocation, *provided* that no permit shall be granted to any one until they have first entered into a contract with the city of Sedalia to furnish suitable grounds for the dumping and burial of the night soil, privy contents, etc., which it is proposed to remove, and enter into a bond to the city of Sedalia, with two good and sufficient securities to be approved by the mayor for the faithful performance of his part of the contract which said bond shall be in the penal sum of two hundred dollars.

SEC. 554. That hereafter it shall be unlawful for any body or band of persons to parade the streets of the city, or to sing or play in the public streets of the city, without first obtaining a permit from the mayor so to do.

SEC. 555. Any person, officer or corporation violating, or failing or refusing to comply with the provisions and requirements as contained and specified in this chapter, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished—unless other punishment has been heretofore specifically prescribed—by a fine of not less than one nor more than one hundred dollars.

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## CHAPTER 22.

### POLICE COURT.

#### SECTION.

- 556. Establishment, purposes of.
- 557. Warrants, when to issue, form of.
- 558. Defendant, trial of, bond required when, form of commitment on failure to give bond.
- 559. Police judge, to keep docket, powers of as to subpoenas, attachments, contempt, etc.
- 560. Witness, refusal to testify, to be committed.
- 561. Continuances, when granted and for how long.
- 562. Depositions, may be taken, etc.
- 563. Trial, by jury or judge.
- 564. Jury, empanelling of, verdict, etc.

#### SECTION.

- 565. Certified copies of records, etc., good as evidence, when to be made, etc.
- 566. Appeals, how taken.
- 567. Notice of, when required.
- 568. Defendant, committed to jail when, form of, execution, may issue.
- 569. What actions and parties may be joined in one suit, judgments and appeals.
- 570. Party making information to be competent witness, to pay cost, when.
- 571. Time of instituting suit or prosecution.

SECTION. 556. There is hereby constituted a police court for the trial of all misdemeanors and breaches of the ordinances of this city; and the proceedings therein, and allowance of fees, as far as practicable, shall be made conformable to the general laws of the state of Missouri regulating practice before justices of the peace.



SEC. 557. If the marshal, policeman, or any other credible person, shall make and subscribe an affidavit before the police judge, that any person has committed a breach of any ordinance, or the city, as he or she believes, naming the breach, the ordinance, or section and giving the time and place of commission, then in such cases the affidavit and information before named, being filed with the police judge of the city, it shall be the duty of the police judge forthwith to issue his warrant to apprehend such offender, which shall be as near as circumstances will admit, in the following form, viz :

STATE OF MISSOURI, }  
COUNTY OF PETTIS, } ss.  
City of Sedalia. }

*To the Marshal of the City of Sedalia, Greeting :*

You are hereby commanded to take A. B. and bring him, together with this warrant, forthwith before the undersigned police judge of the city of Sedalia, to answer to the city of Sedalia, on an information had for breach (or several breaches) of an ordinance of said city, entitled (insert title or number of section.)

Given under my hand at the city of Sedalia this ——— day of ———, 18—.

—————, Police Judge.

SEC. 558. On return of any warrant issued as aforesaid, with the defendant in custody, it shall be the duty of the police judge to proceed immediately to the trial of such defendant on the charge or statement filed against him, if witnesses can be procured, and the justice of the case will admit of it; or he shall set a day and hour for the trial of the cause, not to exceed ten days after the return of the warrant, in which case the police judge shall take a sufficient bond or recognizance, with security, to be by him approved, from the defendant, conditioned that he appear before the police judge on the day of trial and answer to said charge, which bond shall be given in the usual form of bonds in such cases, before justices of the peace, in cases of misdemeanors, to the City of Sedalia, but if said defendant shall re-

fuse or be unable to give such bond or recognizance, said police judge shall commit the defendant to jail in custody of the city marshal, who shall be ex-officio jailor, to await the day of trial, by making out a warrant of commitment, which shall be as nearly as circumstances will admit in the following form, to-wit:

STATE OF MISSOURI, }  
 COUNTY OF PETTIS, }  
 The City of Sedalia. }

*To the Marshal of the City of Sedalia, Greeting :*

Whereas, A. B. has been brought before me, the undersigned police judge of the City of Sedalia, on a warrant, a copy whereof is herewith returned to you, at the suit of the \_\_\_\_\_ of the City of Sedalia, in an action for the breach of certain ordinances of said city, and the trial of said suit having been by me postponed till the \_\_\_\_\_ day of \_\_\_\_\_, 18—, and the said A. B. having refused to enter into sufficient bond for his appearance on said day to answer said action (or if defendant is unable to give bail, said A. B. having failed to enter, etc.,) these are therefore to command you to receive the body of said A. B. into the city jail, and him safely and securely keep until the said \_\_\_\_\_ of \_\_\_\_\_, 18—, and that you then bring the said A. B. before me for trial.

Given under my hand, at the City of Sedalia, this \_\_\_\_\_ day of \_\_\_\_\_, 18—.

\_\_\_\_\_, Police Judge.

SEC. 559. It shall be the duty of the police judge when he shall issue any warrant as aforesaid, to keep a docket, in which he shall make fair and accurate entries of all suits and actions instituted before him, with his proceedings thereon; and he shall issue subpoenas for witnesses on the request of either party; and he shall have power to issue writs of attachment for witnesses to compel their attendance, and may impose fines for non-attendance, after being duly summoned in any cause, by way of punishment for contempt, not exceeding fifty dollars and the costs of the attachments; and he shall moreover have power to issue venires for juries in any case wherein the intervention of

the jury is required by either party, or by any ordinance of the city; and he may compel the attendance of any person summoned as a juror by attachment, and may impose fines for non-attendance, or for any contempt or disobedience of the orders of court, not exceeding ten dollars, and may issue execution therefor, if the same shall not be paid within ten days after it is imposed.

SEC. 560. Any person summoned and attending as a witness, or who shall be sworn in any cause to testify, who shall refuse to give evidence, on oath or affirmation, as the case may be, shall be committed to jail by the police judge, there to remain, without bail, until he shall have given such evidence; and the warrant or commitment under which said witness may be committed to prison, shall be in the name of the state of Missouri, City of Sedalia, directed to the keeper of the jail of Sedalia, reciting the cause of the commitment, and shall be signed by the officer making the same; and said writ shall be executed by the city marshal; *Provided*, that the prisoner shall be taken from prison by said marshal by whom he was committed, when he shall consent to give his testimony as required.

SEC. 561. The police judge shall have the power to adjourn or continue the trial of any action brought before him to such future time as he may think proper, not exceeding thirty days, if the justice of the case shall, in his opinion, require a continuance or adjournment; and upon the affidavit of either party, his agent or attorney, that the testimony of a material witness, who resides out of the city, cannot be obtained, or that a material witness cannot attend the trial, from infirmities of the body or other sufficient cause, stating in what the materiality of such testimony or witness consists, and that such testimony or witness could not be procured by the party making the affidavit in time for trial, and that such testimony can be procured within thirty days, the cause shall be postponed to a day certain, within reasonable time, as the distance of the witness may require; and whenever a cause is postponed, the

defendant shall enter into a bond in a sufficient sum, with security, to secure his appearance to the action on the day of trial and if such defendant shall fail or neglect to enter into such appearance bond, he shall be committed for trial as is provided by section 558.

SEC. 562. The police judge, when any action may be pending, on application of the defendant or his agent or attorney, shall grant a rule to take the depositions of such witnesses as shall be by him named, which rule, being certified by the officer granting the same, shall be sufficient authority to any justice of the peace within the United States or their territories, to take and certify the depositions of such witnesses as shall be named in said rule; and the depositions so taken and certified, in pursurance of such rule, shall be lawful evidence in the trial of the cause; *Provided*, that the same shall be otherwise competent testimony in law, and shall have been regularly taken in pursurance of lawful notice to the opposite party in the cause; and, *provided*, also, that no rule shall be necessary to take the deposition of any witness found in the state of Missouri, but notice shall be given as in cases pending before the circuit court.

SEC. 563. If the parties appear before the police judge either in person or by agent or attorney, he shall proceed to hear the proofs and allegations produced and made by the parties, and give judgment according to right and justice for such sum as he may think proper, or the law requires, if for the plaintiff; and he may acquit the defendant if he thinks he is not guilty of the charge alleged against him, unless the law shall require the intervention of a jury, or either party shall demand a trial by jury, in which case it shall be the duty of said police judge to empanel a jury of six lawful and impartial jurors.

SEC. 564. The qualifications of jurors, in all actions arising under any ordinance of the city, shall be the same as in suits in the circuit courts of the State, and three jurors may be peremptorially challenged or excused from serving, for favor,

being of kin to the defendant, for corruption, legal disqualification, or having previously formed or expressed an opinion on the merits of the particular cause which they are summoned to try; and upon a panel of six being completed, an oath or affirmation shall be administered to the jurors, well and truly to try the matter in dispute between the parties, and a true verdict give according to the evidence; and it shall be the duty of the jury, if they find for the defendant, to return their verdict that they find the defendant not guilty; and upon such verdict being signed by the foreman of the jury, and agreed to in open court by his fellows, the police judge shall enter upon his docket a judgment of acquittal in favor of defendant and shall adjudge costs against the plaintiff or informant as he in his judgment shall deem just, and the defendant shall be discharged; but if the jury find a verdict for the plaintiff, they shall return in their verdict that they find the defendant guilty, and assess the fine, which verdict, when signed by the foreman and agreed to by his fellows in open court, shall be recorded on the docket, and the police judge shall thereupon enter up judgment against defendant, for such sum as the jury may have assessed, not exceeding nor less than the fine and forfeiture authorized by ordinance, and also all costs of suit.

SEC. 565. Certified copies of the ordinances of the City of Sedalia, maps, plats and surveys of the city, or any part thereof, or orders, resolutions, minutes, journals and proceedings of the board of alderman, or proclamations of the mayor or president of the council, the assessment and tax list, all books kept by the clerk, mayor, treasurer and other officers of the city, and duly certified abstracts and copies thereof, and of reports, settlements and statements made in pursuance of any law, ordinance, rule or resolution, or order of the board, shall be admitted and received in evidence in all trials, actions, suits and informations before the police judge; *provided*, that all copies shall be duly certified by the officer or person who shall rightfully possess or keep the same, under his hand officially made; and it shall be the duty of all city officers to grant certi-



fied copies of their official books and papers to any defendant or other person, on application, on payment of such fees as are allowed by law to clerks of the circuit courts, which shall be paid into the city treasury; but they shall charge no fees when any such copy is called for on behalf of the city.

SEC. 566. In all cases, suits and actions arising under any ordinance of the city of Sedalia, any person or party who may think himself aggrieved by the judgment of the police judge, may, by him or themselves, or by his or their agent, have liberty to appeal from such judgment, within ten days of the rendition thereof, to the next term of the criminal court to be held in the county of Pettis; and the party appealing shall make an affidavit that he does not make the application for an appeal for the purpose of vexation or delay but because he believes that he is injured by the judgment of the police judge, and shall enter into a recognizance, with one or more sufficient securities, in a sum sufficient to secure the fine and all costs that may accrue in such appeal, which recognizance shall be, as near as may be, in the following form, to-wit:

"We, the undersigned, A. B. and C. D., acknowledge ourselves to be indebted to the city of Sedalia in the sum of ——— dollars, to be levied on our respective goods and chattels, lands and tenements, upon condition, nevertheless, that whereas, the said A. B. hath appealed from the judgment of G. H., police judge, of the city of Sedalia, in a certain action, wherein the said police judge of the city of Sedalia is plaintiff, and A. B. defendant: Now, if the said A. B., the appellant, shall prosecute his appeal with effect, pay and satisfy the fine and all costs, or otherwise abide the judgment of the criminal court in said appeal, then this recognizance to be void; otherwise to remain in full force and effect." Which recognizance, so given by the defendant, or any person on his behalf, shall be subscribed by the person entering into the same, and shall be attested by the police judge.

SEC. 567. In all cases of appeals not prayed for and granted on the day the judgment appealed from is given, the

party appealing, or his agent, officer or attorney, shall notify in writing the opposite party, or his agent, officer or attorney, within ten days after the appeal, that such appeal has been taken; and all notices of appeals may be served by the city marshal or any policeman whose return or copy thereof shall be evidence of the facts therein stated.

SEC. 568. If the amount of judgment rendered by the police judge in any action or proceeding under any ordinance of said city and the costs of suit, shall not be paid immediately after the rendition thereof, to the officer by whom said judgment was given, or to the city marshal or clerk of the city, unless an appeal has been granted as aforesaid, which shall operate as a supersedeas, it shall be the duty of the officer by whom such judgment has been rendered to commit to jail any defendant until judgment and costs shall be paid, the warrant for such commitment shall be in the following form, viz:

STATE OF MISSOURI, }  
CITY OF SEDALIA. }

*To the Jailer of the City of Sedalia:*

Whereas, A. B. has been brought before me, the undersigned, police judge of the City of Sedalia, on a warrant issued in behalf of the City of Sedalia, on an information for the breach of certain ordinances of said city; and, whereas, on the trial of the said A. B. on said information, he was found guilty of the charges contained in said information, and a fine of — dollars was assessed as the punishment thereof, and judgment was rendered therefor, together with costs of suit, and the said A. B. having failed to pay the same: These are, therefore, to command you to receive the body of the said A. B. into the jail of said city, and him safely and securely keep until said fine and costs shall be paid.

Given under my hand, at the City of Sedalia, this ——— day of ———, 18—.

—————, Police Judge.

In addition to issuing said warrant of commitment, the police judge issuing the same may issue an execution against the

goods, chattels and personal property of the party committed for the satisfaction of the fine and costs, which execution shall be issued in like manner and form, have the same effect and force, and be returned and executed in the same manner as executions issued by justices of the peace; and the marshal shall have the same power as constables have under executions issued by justices of the peace.

SEC. 569. When any person shall have committed several breaches of the same or similar ordinances at different times, which breaches are, or may be, of the same nature, punishable by fine or forfeiture, it shall be lawful to join said several breaches together in one and the same action, and the fine imposed by ordinance may be imposed jointly, and judgment entered therefor accordingly for the whole amount of such fine; and it shall be lawful to find the defendant not guilty as to one or more breaches, and guilty as to the others; it shall also be lawful to join several defendants in the same action, for one of several offenses against any ordinance or ordinances of the same nature, if said several defendants were present and committed said several offenses in the presence of each other, and some of said defendants may be found guilty and others acquitted, as if they had been tried separately; and if several defendants shall be convicted in the same action or information, judgments against each shall be several, and execution may be issued against them severally: *Provided*, however, that when several judgments are rendered in the same action or information, the costs of suit shall be apportioned among the defendants according to equity and justice, so that each defendant shall pay his ratable share thereof; and each defendant shall have the right of appeal in the same manner as if he had been sued and tried separately, or all the defendants may join in such appeal.

SEC. 570. On the trial of all persons for offenses against the ordinances of the city, the informant shall be a competent witness in the case to prove the commission of the offense, and said informer shall pay costs of prosecution if the defendant be acquitted, if, in the opinion of the officer trying the cause, the

information was or is vexatious or malicious, or has been instituted without any just cause, to be adjudged against him by said officer at his discretion, and execution shall issue therefor as in other cases.

SEC. 571. No person or persons shall be sued or prosecuted, tried or punished for any offense against any ordinance of the City of Sedalia, unless proceedings for the same shall be commenced within one year next after the offense shall have been committed, unless said offender shall have fled or absconded, or absented himself from the city during said period of one year after the commission of the offense, or shall have concealed or absented himself for the period aforesaid in such manner that process could not be served upon him, in which case the provisions of this section shall be no bar to the institution and prosecution of such suit, action or proceeding.

## CHAPTER 23.

### PISTOL GALLERIES.

#### SECTION.

572. To keep or maintain, consent of what property owners necessary.  
573. License, when to be granted.

#### SECTION.

574. Tax on, what and when to be paid.  
575. License, may be revoked, when  
576. Misdemeanor, to violate this chapter.

SECTION 572. It shall be unlawful for any person or persons to keep or maintain for themselves, or by them for another, any place for the purpose of rifle practice, or target shooting, commonly called "pistol galleries," in any building or upon any lot of ground within the city limits, without first having obtained the written consent of two-thirds of all the owners or occupants of property or rooms within three hundred feet of the place where such "pistol gallery" is to be kept.

SEC. 573. Parties desiring a license for such pistol galleries shall present to and file with the city clerk the written

consent of the owners and occupants of property or rooms as provided in section 572 of this chapter, and shall make affidavit before said clerk that such statement so provided to be filled, contains not less than two-thirds of all the owners or occupants of property or rooms within three hundred feet of the place to be occupied for such purposes, whereupon the clerk shall issue a license.

SEC. 574. There shall be paid to the city of Sedalia a license tax of fifty dollars per year by the keeper of all "pistol galleries," to be paid semi-annually on the first day of May and November of each year, which license tax shall be paid before a license is issued by the city clerk. *Provided*, a license may be issued from day to day at the rate of one dollar for each and every day so issued.

SEC. 575. Where a license has been granted in pursuance of the provisions of this chapter the same may be revoked by the council, upon the written request of two-thirds of the owners or occupants of the property or the rooms within three hundred feet of the place where the same is kept and said request shall be verified by the affidavit of one of the signers thereof as to its correctness and that it contains the required two-thirds majority. After the revocation of said license such business shall immediately cease. When a license is revoked a pro rata amount of the license charges shall be returned by the city.

SEC. 576. Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not exceeding one hundred dollars.



## CHAPTER 24.

## PLUMBERS.

## SECTION.

577. License, not to have, a misdemeanor.

578. Application for, how made.

579. Bond to be filed, when.

## SECTION.

580. Streets, excavations, etc., in, how made and repaired, violation of this chapter a misdemeanor.

SECTION 577. Plumbers license for one year shall be granted by the city clerk to practical plumbers only and upon making application for a license they must furnish the city clerk with satisfactory evidence of experience in business and a proper qualification for the work. Any person not so licensed who shall do any plumbing, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than five nor more than fifty dollars.

SEC. 578. Application for a license shall be made in writing to the city clerk, and it shall state the full name of the applicant, and if a firm it shall give the full name of each member, the place of business existing, and the proposed place of business.

SEC. 579. At the time of receiving a license the party shall execute and deposit in the office of the city clerk a good and sufficient bond with two or more sufficient securities to be approved by the mayor, in the sum of three thousand dollars, conditioned that said plumber shall perform his work in faithful and workmanlike manner, and that he will indemnify and save harmless the city of Sedalia from all accidents and damages caused by any negligent or unskillful work or in protecting the same, and that he will also replace and restore the pavement or street or alley over any opening he may have made to lay ser-

vice pipes or for other purposes, to as good state and condition as he found it, and maintain the same in said condition for one month thereafter.

SEC. 580 Where work is done in a street the street must be opened in the manner which will occasion the least inconvenience to the public and admit of the uninterrupted passage of water along the gutter. No excavation in any public place must be left open over night, and every precaution must be taken for the public safety. In refilling the trenches the earth must be put back in nine inch layers and thoroughly rammed and settled with water. The street and pavement must be restored to as good condition as previous to making the excavation, and all dirt, stone and rubbish must be removed immediately after the completion of the work. Should an excavation in any street, alley or highway be left open or unfinished for the space of twenty-four hours, or should the work be improperly done, or the rubbish not removed, the city shall have the right to finish and correct the work at the expense of the plumber whose work is thus finished or corrected, which shall be paid by such plumber before he can receive another permit. Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less than five nor more than one hundred dollars.

## CHAPTER 25.

## PRIVIES AND WATER CLOSETS.

## SECTION.

- 581. Buildings, what to have, vaults and closets.
- 582. Filthy, leaking, etc., misdemeanor.
- 583. Vaults, etc., not connected with sewer, how constructed and kept.
- 584. When to be connected with sewer, failure to a misdemeanor.

## SECTION.

- 585. Connection with sewer, manner of.
- 586. Leaking vaults, etc., unlawful.
- 587. Misdemeanor to violate this chapter, punishment when not specially provided.
- 588. Marshal and police, to report concerning, etc.

SECTION 581. Each and every building within the City of Sedalia, used as dwellings, stores, livery stables, tenement houses, warehouses, factories, mills, foundries, depots, schools, seminaries, hotels, restaurants, boarding houses, jails and shops, shall be provided and furnished with suitable and lawful privy vaults or water closets, and this shall be for sanitary purposes.

SEC. 582. Any owner, lessee, tenant or agent of any building or lot, of any ground in the City of Sedalia who shall maintain or allow to exist about or on said building or lot of said ground, any privy, privy vault, basin, cess-pool or water closet which shall be found in an overflowing, leaking, full, filthy stinking, insecure, defective or unlawful condition, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one dollar nor more than one hundred dollars for each offense; and every day on which a violation of this section exists as to any premises, shall constitute a separate and distinct offense.

SEC. 583. On all premises not so situated as to be accessible to the sewerage system of the city, public district or private, the vaults of all privies shall be not less than four feet

deep below the surface of the ground and securely walled or lined up with brick, stone or other substantial material, at least eight inches above the surface of the ground; the wall or structure of the privy to be closely connected and built to and upon such vault so as to prevent the escape of foul odor or gases, as near as may be, and no privy having a vault not connected with the sewerage system of the city shall be constructed nearer than two feet of any public alleys of the city; and no privy having a vault not supplied with and continuously cleansed by water, and not connected with the sewerage system of the city shall be constructed nearer than ten feet to any public streets of the city or to the property of another, and in no case nearer than two feet. Whenever any such privy vault shall become full to within two feet of the top it shall be emptied and its contents removed, and it shall be unlawful to build or maintain any privy vault or privy structure situated as described in this section otherwise than is herein provided.

SEC. 584. The vaults, privies and water closets in or belonging to all buildings designated in section 581 of this chapter located on a line of any street or alley through which there is a public, district or private sewer shall be connected by their owners, lessees or agents of such property, with such district, public or private sewer, whenever required to do so by the order of the board of health, which order shall be served in the same manner as writs of summons are required to be served in civil cases, and if the owner, lessee or agent who shall have been served with such notice shall fail to comply with the order of the board of health in the time indicated in such order, then such owner, lessee or agent shall be deemed guilty of a misdemeanor, and on conviction, shall be fined not less than one dollar nor more than one hundred dollars; and every day on which a violation exists as to any promises shall constitute a separate offense.

SEC. 585. All vaults, privies or water-closets hereafter to be connected with the sewerage system of the city shall be connected in such a manner and accordance with such general

plans, as may be adopted by the sewer commissioner and city council, and any other manner of connecting privies or water-closets with the sewerage system of the city shall be unlawful, and any person who shall violate any of the rules and regulations so adopted by the sewer commissioner and city council shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than one dollar nor more than one hundred dollars.

SEC. 586. No privy, privy-vault or water-closet now existing or that may be hereafter constructed shall be so constructed or maintained as to permit or cause a leak or seap therefrom into or upon the premises upon which the same is located, or the premises of the adjacent property owners, through the ground, building-walls, cellar-walls or in any manner whatever whereby there shall be created any foul odor or gas.

SEC. 587. Any person violating or failing to comply with any of the provisions of this chapter and to which no special penalty is attached, shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than one dollar nor more than one hundred dollars.

SEC. 588. It is hereby made the duty of the city marshal and all sanitary and police officers to report to the board of health any and all violations or failures to comply with the provisions of this chapter, by any person or persons and thereupon the board of health shall go upon and view the premises and issue such orders to the city marshal as the exigencies of the case may require; and all offenses coming under the provisions of this chapter and not included in sections 584 and 586 shall be promptly reported and prosecuted by the city marshal and all sanitary and police officers of the city. And any person or persons failing or refusing to comply with any requirements contained in any order issued by the board of health as provided in this chapter shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than one dollar nor more than one hundred dollars. All orders of the board of health shall be served as provided by section 584 of this chapter.



## CHAPTER 26.

## PRISONERS.

## SECTION

589. To be worked upon streets, etc.  
590. Ball and chain, used when, if refractory, what.  
591. Days work, allowance for, applied to fine.

## SECTION.

592. Food of, when at work, to consist of what.  
593. Officer in charge, to keep what records, etc.

SECTION 589. Whenever any person is committed to the city jail for the non-payment of any fine, the police judge shall issue an order to the city marshal directing him to work the person named in such order upon the streets or public works of the city; and the said marshal shall have the control and custody of such person during the hours of each day mentioned in said order, until such fine and costs be fully satisfied and paid; but said marshal shall return said person to the city jail for safe keeping every night; and it shall be the duty of the marshal to see that such prisoner is kept at work during the hours of the day that he is committed to his charge; *Provided*, that the marshal may place any such prisoner in the charge of the street commissioner to be worked.

SEC. 590. Whenever any prisoner or prisoners shall be required to work upon the streets or other public works of the city by the city marshal, said marshal or the street commissioner if he deem it necessary for the confinement and safe keeping of such prisoner, or prisoners, shall have power to secure such prisoner with a ball and chain, or by coupling any two or more of them to a chain in such a manner as to secure them from escaping while at work. If any prisoner prove refractory, and refuse to work upon the street, or elsewhere when

ordered by the officer in command, such officer may, if he considers it proper, place such prisoner on a diet of bread and water alone.

SEC. 591. Each prisoner shall, for each day he works, be allowed the sum of one dollar, to be applied to the liquidation of his fine and costs.

SEC. 592. Any prisoner who shall be ordered by the city marshal or street commissioner to perform any work or labor in payment of any fine charged against him, shall, when he performs a reasonable day's work, receive three substantial meals per day, said meals not to cost more than thirty cents; but if said person fail or refuse to do a reasonable day's work, he shall receive only two meals per day, said meals not to cost more than twenty cents.

SEC. 593. The city officer having such prisoners in charge shall keep a record of the number of days that they remain in his charge as city jailer, and he shall also keep a record of the number of days which they may work, whether it be a reasonable day's work or otherwise, and he shall feed them accordingly, and return a copy of said record with his bill for feeding to the city council for allowance and payment, which record shall be certified to by the city clerk.

## CHAPTER 27.

## PUBLIC IMPROVEMENTS.

## ARTICLE I.—Streets.

## ARTICLE II.—Sidewalks.

## ARTICLE I.

## STREETS.

## SECTION.

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SECTION 594. Whenever it is deemed necessary by the council to change the name of any street or avenue, the council shall, by resolution, declare such proposed change of name necessary to be made, and shall cause such resolution to be published at least one week in some newspaper published in the

city; and if, within four weeks after such publication, a majority of the resident property owners along the line of such street or avenue do not file with the city clerk their written protest against such proposed change of name, then the council shall have power by ordinance to change the name of such street or avenue in accordance with the terms of such resolution; and upon the passage and approval of such ordinance, the city clerk shall file with the recorder of deeds of Pettis county a certified copy of such ordinance, and such recorder shall enter the same upon the records of such county.

SEC. 595. When the council shall deem it necessary to pave, macadamize, gutter, curb (where such curbing is set out into the street beyond the sidewalk,) or otherwise improve any street, avenue, alley or other highway, or any part thereof, within the limits of the city, for which a special tax is to be levied, as provided by the charter and ordinances of the city, the council shall, by resolution, declare such work or improvements necessary to be done, and cause such resolution to be published in some newspaper published in the city, for two consecutive weeks; and if a majority of the resident owners of the property liable to taxation therefor shall not, within ten days thereafter, file with the clerk of the city their protest against such improvements, the council shall have power to cause such improvements to be made, and to contract therefor, and to levy the tax as provided by the charter and ordinances of the city.

SEC. 596. The city council may, by ordinance, include in the special assessments the cost of bringing to the established grade any street, avenue, alley or other highway or square or area formed by the intersection or meeting of streets or other highways, or parts thereof, proposed to be improved, when in its judgment or opinion the general revenue fund of the city is not in a condition to warrant an expenditure therefrom for bringing the same to the established grade: *Provided*, that the resolution declaring such work necessary to be done, and published in some newspaper published in the city, shall, in addition to the other work or improvement therein provided for,

include and describe the work of bringing such street, avenue, alley or other highway or square, or part thereof, to the established grade. In all such cases where such work is authorized by virtue of such a resolution, and is contracted for in pursuance thereof, the bringing to grade as above described shall be included in the same contract with the other work provided for therein, and tax-bills shall be issued in payment for all said work as may be provided for by ordinance.

SEC. 597. The work of paving, macadamizing, guttering and curbing (where such curbing is set out into the street beyond the sidewalk,) and grading, when such grading is included in the contract with other improvements as provided in the preceding section, or otherwise improving any street, avenue, alley or other highway or any part thereof, after the city has obtained jurisdiction thereof, by the publication of the resolution as required by the two preceding sections, and the same not successfully remonstrated against, shall be controlled and governed by this article, except so far as may hereafter be otherwise specially provided for by ordinance.

SEC. 598. Any work done in pursuance of the provisions of this article shall be construed to include all the labor and material necessary to the complete and entire finishing of the improvements under contract, and shall be done in a thorough and workmanlike manner and to the entire satisfaction of the city engineer and city council and when done shall be complete in every respect.

SEC. 599. All material shall be carefully inspected by a competent person, after it is brought on the line of work, and all material which in quality and dimensions does not conform to the specifications under which the work is being constructed, shall be rejected and such rejected material shall be immediately removed from the line of work.

SEC. 600. If at any time any rejected or inferior material should be found in any part of the improvement being made under contract duly entered into or any portion of the work be found improperly done, such material and work shall be re-



moved and replaced with proper material and work at the expense of the contractor.

SEC. 601. Notice of any inferiority of material proposed to be used or that may be used, or any imperfection of work done, to any foreman, agent or other person in charge of the work or any part of it, in the absence of the contractor, shall be considered a notice to the contractor. The contractor shall remove all material and debris from the street as soon and as fast as completed.

SEC. 602. The contractor shall maintain red lights at all holes or other dangerous or unsafe places on the line of the work from sunset to sunrise each night, and shall keep all dangerous or unsafe places on or along the line of work thoroughly barricaded and protected. Any person who shall carry away, take down, extinguish any light or signal, or attempt to carry away, take down, destroy, injure or extinguish any such light or signal put up by any contractor as required by this article, or any person who shall take down, break through, drive over or remove any barricade put up by any contractor under the requirements of this article, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than one dollar nor more than one hundred dollars.

SEC. 603. Any person who shall use or attempt to use any street or other highway in any manner whatsoever, which is in process of construction, whereby the same may be injured or the work affected or delayed, without the consent of the contractor or his foreman or agent, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than one dollar and not more than one hundred dollars: *Provided*, that nothing herein shall apply to the city fire department while in the regular discharge of their duties going to and returning from fires, and at fires.

SEC. 604. The contractor and his securities will be held responsible for all damage done to water, gas, drain or sewer pipes; and all loss, injury or damage arising out of the nature

of the work to be done, or from any unforeseen or unusual obstruction or difficulties which may be encountered in the prosecution of the same shall be sustained by the contractor.

SEC. 605. It is expressly provided that if any contractor having a contract with the city to do work under the provisions and by authority of this article, who shall fail to commence the work at the time provided by ordinance or contract, he shall forfeit all rights under his contract, and shall be liable to such damages as may be shown the city or the persons affected, has sustained, and any contractor who shall fail to complete any work within the time specified in his contract, or prescribed by the ordinance providing for the work, shall pay such penalty per day as shall be stated in the contract or ordinance providing for the work, and any such amount so stated shall be paid as liquidated damages, and shall be deducted from the final estimate of the work, and the total cost of the work shall be reduced or diminished by the total amount of the forfeiture or damages, which shall be ascertained and fixed by the council, in such manner as they may deem proper or as shall be prescribed by ordinance or contract; and when done by the council independent of any contract or ordinance provisions previously stated or enacted, it shall be by resolution.

SEC. 606. Upon the failure or refusal of any contractor to do any work for which he may have a contract with the city, or shall fail or refuse to comply with the requirements of his contract, the city shall have the right, by resolution or ordinance, to provide for the employment of sufficient help and provide the necessary material to complete such contract or any part thereof, or may award the contract for the completion of such work in the same manner and under the same requirements as is provided for the awarding of contracts in the first instance. In such cases the original contractor shall not be entitled to receive any of the tax bills in payment for work done by him, until all cost of completing the work by the city or other person is first satisfied: *Provided*, that the contractor shall, in no event, be liable for an amount which exceeds the engineer's

estimate, made before the original contract was awarded, except in such cases as an excess may be caused by the acts or omissions of the contractor himself. All excess of cost of completing any such work, including the material therefor over the original contract price, and within the city engineer's original estimate, as well as all costs and expenses of every kind incurred on account of the failure or refusal of the contractor to complete the work, shall be sustained by the contractor and his sureties on his bond.

SEC. 607. Upon all questions concerning the character of material used, the execution of the work done and the measurement thereof, the decision of the city engineer shall be final. The city engineer shall have power to discharge careless or incompetent workmen.

SEC. 608. Before the council shall make any contract for any public improvements done or to be made under the provisions of this article, an estimate of the cost thereof shall be made by the city engineer, and submitted to the council; and no contract shall be entered into for any such work or improvements for a price exceeding the engineer's estimates.

SEC. 609. After providing for the making of any public improvements by authority of and in conformity to the provisions of this article, and any special ordinance enacted hereafter, and the adopting of specifications by the council for such work, by ordinance, and the making and submitting of the engineer's estimate to the council, upon being ordered by the council, the committee on streets and alleys shall advertise for sealed bids for such improvements. All advertisements by the committee on streets and alleys for bids for any public work or improvement provided for by ordinance, and wherein the provisions of this article are made to control in whole or in part, shall be by publication in the newspaper doing the city printing for ten days. The council shall have the right to reject any and all bids. In the event that no bid is submitted, or all bids are rejected, the council shall have the right to direct the committee on streets and alleys to again advertise for bids as in the

first instance until acceptable bids are received. If the council be satisfied after the first or any subsequent advertisement that no acceptable bids can be obtained, they may by resolution or ordinance declare all proceedings abandoned with reference to such work or improvement, or may change the specifications by amending the original ordinance providing for the improvement, and again advertise as in the first instance.

SEC. 610. If the council shall desire to accept any bid received for any such work or improvement, they shall accept the same by a majority vote of the members elected to the council, the yeas and nays to be entered on the record of the proceedings. Such an acceptance of a bid shall be considered an award of the contract for the work or improvement bid for, and the successful bidder shall enter into proper contract and required bond, within ten days after the award is made.

SEC. 611. Each bidder for any public work or improvement to which the provisions of this article apply, and the cost of which shall exceed fifty dollars, shall submit with his bid a certified check on some Sedalia, Missouri, bank, payable to the order of the city treasurer in a sum equal to one per cent of the amount of his or their bid, or a bond with one or more good and sufficient sureties to be approved by the mayor, in the sum of five per cent of the amount of such bid, conditioned that if his bid is accepted he will within ten days enter in contract and bond therefor as required by this article or any special ordinance. The checks or bonds of unsuccessful bidders shall be returned to them; those of contractors whose bids are accepted shall be held until they shall have entered into proper contract and bond as required by ordinance, and in accordance with their bids, at which time such checks or bonds shall be returned to them. In case any person whose bid is accepted shall fail, refuse or neglect to enter into written contract and proper bond as required by this article, within ten days after the acceptance of his bid the certified check deposited by him shall be forfeited to the city. And where a bond is entered into instead of such check being given, the mayor

shall order such action as shall forfeit such bond, and in either case the amount shall be forfeited to the city as liquidated damages on account of the failure of any such person or persons entering into contract and bond as aforesaid. All money realized from such checks or bonds shall be paid into the city treasury and placed to the credit of the general expense account.

SEC. 612. Every person to whom a contract for any public work or improvement, mentioned in this article, is awarded, shall within ten days thereafter enter into written contract with the city to do and complete the same according to the plans, specifications and ordinances, within the time prescribed by ordinance, or agreed upon between the city and the contractor, and without negligence, causing or tending to cause damage to private property, for which the city might be held liable; and providing that in all cases where the work done is to be paid for by special tax-bills, the contractor shall accept payment for said work in such special tax-bills duly levied and assessed against the property liable therefor, and that the city shall not, in any event, be held liable for any sum whatever for the doing of such work or improvements nor the cost nor any part of the cost thereof. At the same time every such contractor shall enter into bond in a sufficient amount with two or more good and sufficient securities, to be approved by the mayor, conditioned that the contractor will faithfully and in every particular comply with all of the terms of his contract and with the terms, conditions and requirements of the charter and ordinances of the city with reference thereto or in any manner affecting or controlling the terms of said contract and bond, and with the plans and specifications for said work or improvements. All such contracts and bonds shall be filed in the office of the city clerk where they shall be safely kept and preserved, and shall be open to inspection by any person interested therein and to none others except by the permission of the city clerk, except the purpose of such inspection desired by any one else shall appear to be reasonable.



SEC. 613. All work done under any contract entered into under the provisions of this article shall be done and carried on under the supervision and direction of the city engineer and the committee on streets and alleys, who shall personally inspect the work as it progresses and see that the same is done in accordance with the plans, specifications, contract, ordinances and charter governing the same: *Provided*, however that the council shall have the right to appoint a suitable and competent person as inspector of any such work; the appointment of such inspector shall not however relieve the city engineer from a personal inspection of the work, and material used therein, as often as it may be deemed necessary to insure the contract for the same to be complied with in every particular. On the completion of any such work, if in the opinion of the engineer and the committee on streets and alleys, said work has been done and completed in accordance with the contract, plans, specifications and ordinances, they shall so report to the council. If the council shall approve said report such approval shall be deemed an acceptance of the work by the city, and the council shall thereupon provide for payment thereof, or issue special tax-bills against the property liable therefor in accordance with law and the ordinances of the city.

SEC. 614. After a bid is accepted and the contract awarded for any improvement, payable in special tax-bills, it shall be the duty of the city engineer to calculate the cost thereof, which calculation shall be made, and the cost of the improvement apportioned in the manner provided by the charter, or any ordinance of the city which is not inconsistent with the charter, and shall return such calculation in writing to the city clerk, and it shall be the duty of the city clerk, on receipt of such calculation, and upon approval by the city council of the work done, and the special tax being duly assessed, to apportion the cost thereof as provided by law, and in conformity to the calculation of the city engineer, and when the city clerk shall have thus apportioned the cost of such improvement among the property owners, he shall issue and deliver to the

contractor special tax-bills, duly signed by the mayor and attested by the city clerk, for the cost of the construction of the work under contract including the material used therein. Said special tax-bills shall refer to the ordinances of the City of Sedalia which may control or effect them or their issue or the assessment, in appropriate terms, recite the kind of work done and the material by its general term furnished therein, describe the lot of ground or real estate on which the tax lien rests, the name of the owner thereof, and the amount for which each tract of ground separately assessed is liable, and the name of the contractor, and the contractor shall receive and receipt for such tax-bills, when delivered to him, in full for all claims under his contract against the city of Sedalia for any and all work done and material furnished.

SEC. 615. Said special tax-bills shall, in any action thereon, be prima facie evidence of the regularity of the proceedings for such special assessment, of the validity of the bill, of the doing of the work, and of the furnishing of the material charged for, and of the liability of the property to the charge stated in the bill, and shall be and become a prior lien upon the property charged therewith, and may be collected of the owner of the land in the name of the city to the use of the contractor, as any other claim, and the city of Sedalia shall not be liable in any manner whatever for or on account of any work done or material furnished, or the cost thereof.

SEC. 616. All tax-bills not made payable in three annual installments, as hereinafter provided for, whenever no other rate of interest is provided for by the ordinance providing for the doing of the work, shall bear interest after thirty days from the date of issue at the rate of eight per cent per annum, and every such special tax-bill shall be a lien against the lot or piece of ground described therein until the same is paid.

SEC. 617. All such special tax-bills issued for special assessments for paving, macadamizing, curbing, guttering, excavating, grading, construction of any street, avenue, alley or other highway, and for district sewers, and for any other pur-

pose whatever, authorized by the charter of the city, shall be assignable and collectable in any action brought in the name of the city, to the use of the holder thereof; but the city shall not in any event be liable for any cost that may accrue in any such action.

SEC. 618. The total cost of paving, macadamizing, curbing, guttering and the necessary excavation and grading for the same, as is now provided by law, of any street, avenue, square or alley, or other highway, or any part thereof, may be paid in three annual payments—one-third in one year, one-third in two years and one-third in three years, from the date of issue of the special tax bills, each payment to bear not to exceed eight per cent. interest per annum from the date of issue to date of payment. And when no other rate of interest is provided by ordinance hereafter, all such tax bills shall bear eight per cent. interest per annum: *Provided*, that the owner of any lot or parcel of ground fronting on such street, avenue, alley, or other highway or square, or part thereof, improved, shall, within thirty days after the letting of the contract for such work, notify the city clerk in writing that he desires to pay for the same in three annual payments. In such cases the city clerk shall make out three special tax bills, which shall be signed by the mayor and attested by the city clerk, each for one third part of the cost of such work, bearing interest as aforesaid, and deliver the same to the contractor for the work. Each and every such tax bill shall be a lien on the lot or parcel of ground therein described, and such lien shall continue for one year from the maturity of the tax bill last becoming due until paid or until the final determination of any legal proceedings to collect the same; but no such suit shall be brought on any such tax bill until after the maturity of all such tax bills.

## ARTICLE II.

## SIDEWALKS

## SECTION

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- 620. Work, to include what, manner of.
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- 631. Estimates of costs, how and when made, to include what, etc.
- 632. City to construct, when and how, costs of, how collected, special tax bills, etc., concerning.
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- 634. Work under contract, paid for with special tax bills.
- 635. Costs, assessment of how apportioned.
- 636. Engineer to compute costs, clerk to issue tax bills, etc.
- 637. Tax bills, prima facie evidence of what, lien of, interest on, etc.
- 638. Street commissioner, may repair with or without notice, account of to be kept, what deemed notice.
- 639. Special tax bills, how levied, interest, assignable, etc.
- 640. Clerk to make abstract record of tax bills and deliver to collector.

SECTION 619. The construction, condemnation, reconstruction and repairing of sidewalks within the City of Sedalia, Missouri, and all matters pertaining thereto, shall be controlled and governed by this article, except so far as may hereafter be otherwise specially provided by ordinance.

SEC. 620. The work of construction, reconstruction, removing and repairing any sidewalk constructed under the provisions of this article, shall include all of the labor and material necessary to fully complete the same, and that the entire improvement made under any contract duly entered into shall be done in a thorough and workmanlike manner and to the entire satisfaction of the city engineer or street commissioner, and when done shall be complete in every respect.

SEC. 621. All material will be carefully inspected after it is brought on the line of work, and all material which in quality and dimensions does not conform to the specifications of this article or any ordinance which may provide specifications not contained in this article, shall be rejected and such rejected material shall be immediately removed from the line of work. If at any time during the progress of the work any rejected or inferior material should be found in a sidewalk being built under contract, or any portion of the work found improperly done, such material and work shall be removed and replaced by proper material and work at the expense of the contractor. Notice of an imperfection of work or inferiority of material to any foreman or agent in charge of any portion of the work, in the absence of the contractor, shall be considered a notice to the contractor. The contractor will be required to move at his own expense, all obstructions, such as trees, stones, etc. The contractor shall remove all material and debris from the street as soon and as fast as completed. The contractor shall maintain red lights at night time at all holes or other dangerous places on the street, and shall keep all dangerous places adjacent to the work and on the street at all times barricaded and protected. The contractor will be held responsible for all damage done to water, gas, drain or sewer pipes; and all loss or damage arising out of the nature of the work to be done, or from any unforeseen or unusual obstruction or difficulties which may be encountered in the prosecution of the same, shall be sustained by the contractor. It is expressly provided that if any contractor having a contract to do work under the provisions and by authority of this article, shall fail or refuse to comply with any of the requirements of his contract, the city shall have the right, which shall be ordered by resolution, to employ sufficient help and provide the necessary material to complete such contract, or may award the contract for the completion of such work in the same manner as the original contract is provided herein to be awarded, and to pay for the same the city shall be authorized to retain tax bills in amount sufficient to reimburse itself therefor, or to pay any person who



shall take a contract for completing such work as in this article provided, and where there is any dispute between the original contractor and the city as to the amount that shall be retained, the same shall be settled by three arbitrators or appraisers, each of whom shall be competent judges of such work, and shall be selected, one by the city council and one by the contractor and a third by these two, and the finding of such arbitrators shall be binding and conclusive upon all parties.

SEC. 622. Upon all questions concerning the execution of the work done, in accordance with the specifications, and the measurement thereof, the decision of the city engineer shall be final. The city engineer shall have power to discharge careless and incompetent workmen.

SEC. 623. Specification for brick sidewalk: All brick out of which any sidewalk is built shall be hard burned brick, laid on their face with their longest dimensions diagonally across the walk upon a layer of sand not less than one inch thick, which rests upon a form of well compacted cinders not less than four inches in thickness; the borders of the sidewalk to be composed of a layer of brick set upon edge; all irregular spaces to be filled with pieces chipped as near as possible to fit same, the whole to be covered with a thin layer of sand, which is to be thoroughly worked into the spaces between the bricks.

SEC. 624. Specifications for concrete and granitoid sidewalk: The concrete shall be not less than four inches in thickness, and shall rest upon a form of well compacted cinders, not less than four inches in thickness. The concrete to be mixed in the following proportions: Portland cement, one measure, clean, sharp sand, two measures, and stone or gravel, five measures. Where granitoid sidewalks are provided for, and to be constructed, crushed granitoid shall be used instead of gravel or stone. It shall be mixed from time to time as required for use, the whole to be thoroughly mixed in a box dry, and water to be added to only so much of the material as can be used at once. It shall be immediately laid in place to a thickness, less by one-half an inch than that required by the specifications.

As soon as this is done and before the cement has had time to set, the surface shall be roughened by scratching, and the top layer composed of one volume of Portland cement, and one volume of clean, sharp sand, shall be spread over it to a uniform thickness of one-half inch, it shall then be thoroughly smoothed with a mason's trowel. The concrete walk shall be laid in sections not less than four feet square, except as may be otherwise provided by special ordinance.

SEC. 625. Specifications for stone sidewalk: All stone shall be good, sound lime-stone, or "Gilfillan flag stone," not less than two inches thick, and shall be laid on a form of well compacted cinders, not less than five inches thick; the stone or "flags" shall not be less than four feet wide, except as may be otherwise provided by special ordinance, the longest dimensions to be laid crosswise of the walk. The top surface to be dressed smooth and edges of stone to be cut so as to make a close fitting joint when laid.

SEC. 626. Specifications for wooden sidewalks. All wooden sidewalks shall be constructed out of sound new material. No walks shall be less than four feet wide. All such sidewalks of four feet and not over seven feet in width, shall be made out of plank or boards not less than two inches thick, and four inches wide, securely nailed to three oak stringers, not less than two inches in thickness and four inches wide, and all walks over seven feet wide shall be built in same manner and out of same material, but shall have four oak stringers instead of three. The ends of cross planks shall not extend to exceed two inches outside of stringers. Stringers shall be laid lengthwise and cross-boards or planks crosswise, of the street. All walks of less width than to curb line shall be laid so as to divide the space between the street line and curb line evenly. All sidewalks shall be laid to the established grade, and to stakes set by the city engineer.

SEC. 627. Each of the abutting property owners shall have the privilege to select out of which of the materials in the special, ordinance specified (the term "special ordinance" as

used herein, shall be construed to mean an ordinance providing for any particular sidewalk or sidewalks,) the walk abutting on their respective lots or tracts of ground, shall be constructed, said choice shall be made by filing a written notice of their choice with the city clerk, within ten days of the publication of the special ordinance, and the abutting property owners shall also have the privilege of constructing or contracting for the construction of their respective portions of said sidewalk; all contracts thus made shall be bona fide entered into within ten days after the publication of the special ordinance, and shall be complete as near as may be within said time. If the sidewalks provided for in any special ordinance or any part of them are not constructed or a contract bona fide made for their construction, and the work under said contract actually commenced, or the council are not satisfied that any contract thus privately made will insure the construction of any part of said sidewalk within a reasonable time, or that such contract or contracts privately made are made to delay the construction of said sidewalk or any portion thereof, the city engineer shall make an estimate of the cost of the several kinds of sidewalks in the special ordinance provided for; which estimate shall be based on the foregoing specifications, and be filed in the office of the city clerk and submitted to the council, and thereafter the committee on streets and alleys shall advertise for bids for any portion of said walk remaining unconstructed or its construction not fairly provided for, and the advertisement shall call for bids on all of the kinds of material in the special ordinance provided for, and shall be by one weeks publication in the newspaper doing the city printing. If it shall appear that a choice has been made by all persons whose walk shall remain unconstructed, and that one or more of the kinds provided for, have been entirely excluded by such choices so made, then the advertisement shall be for the kind or kinds selected. When no choice has been made on the portion of the walk or walks constructed as hereinbefore stated, the advertisement shall be for all the kinds of material specified, and the council shall let the contract

to whom they shall determine to be the lowest and best bidder, taking into consideration all the bids submitted on all kinds of material bid on; where a choice of material is made, as herein provided, the contract shall then be let to the lowest and best bidder on the particular kind or kinds chosen. The city of Sedalia reserves the right to reject any and all bids submitted; no contract shall be let on any bid exceeding the estimates made by the city engineer.

SEC. 628. The location and width of sidewalks shall be fixed from time to time by ordinance, and each ordinance providing for the construction of a sidewalk shall specify the kind or kinds of material to be used or to be permitted to be used, and any person who shall lay or attempt to lay any sidewalk of different dimensions or material from that provided for and authorized by an ordinance providing for the construction or reconstruction of any sidewalk shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one dollar nor more than one hundred dollars.

SEC. 629. Upon the petition of any ten or more citizens of the city, for a sidewalk, the council may pass an ordinance requiring such sidewalk to be built, and at such places as the street where such sidewalk is to be built is not to the established grade, the abutting property shall bear the expense of bringing the street to the established grade, and the work of grading shall constitute and be considered as a part of the construction of such sidewalk, and the cost thereof shall be assessed against the lots or pieces of ground abutting on the part of the street where grading is necessary and shall be done. Sidewalks may be contracted for by ordinance with or without curbing, along any street, avenue or other public highway, or any part thereof whatever; all such contracts shall be let to the lowest and best bidder upon plans and specifications filed therefor by the city engineer or other proper officer, with the city clerk. Such bids shall be advertised for by the street and alley committee, under the direction of the city council, and



such advertisement shall be by publication in the newspaper doing the city printing for one week; *Provided*, that whenever upon proper advertisement no bid is received, the council may proceed as in section 632 provided.

SEC. 630. The city council may by ordinance, or resolution, condemn wooden and defective sidewalks, and may provide in such ordinance or resolution for the removal of sidewalks so condemned, and may provide by ordinance for the construction of new sidewalks in the place of sidewalks so condemned and removed, which new sidewalks shall be of such material or materials and of such dimensions as shall be provided for in the ordinances providing for the reconstruction of same. Any person who shall repair any condemned sidewalk shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one nor more than one hundred dollars.

SEC. 631. Whenever the city council shall hereafter provide, by ordinance, or where provision is already made by ordinance, for sidewalks conforming to the specifications of this article, for the construction of any new sidewalks which have been legally petitioned for, or where the city council shall provide, by ordinance, for the construction or reconstruction of any sidewalk in the place of a sidewalk condemned, the specifications of which conform to the specifications of this article, or where the same is already provided for by an ordinance, the specifications of which conform to the specifications of this article, the city engineer shall make an estimate of the cost per square foot of the different kinds of material mentioned and provided for by said ordinance, and all estimates so made shall be based on and be made with reference to the specifications of this article, except where different specifications may hereafter be provided by ordinance, when the estimate shall be based on the specifications provided by ordinance in the particular case being considered; all such estimates shall be filed in the office of the city clerk, and submitted to the council for approval; such estimates shall include grading in all cases where grading



is required, and shall give a description of the lots or pieces of ground abutting on the part of the street at the point where such grading is required, and the cost per square foot of such grading shall be added to the other costs of constructing any such sidewalks at such points, and no contract shall be awarded at a price exceeding such estimates. After the approval of such estimates by the city council, the street and alley committee, by the direction of the city council, shall advertise for bids for the construction or reconstruction of any such sidewalks; such advertisement shall be by publication in the newspaper doing the city printing for one week.

SEC. 632. Whenever the city shall advertise for bids for the construction of any new sidewalks of any kind, or for the construction of new sidewalks in the place of sidewalks condemned, and shall receive no bids therefor, the city through its street commissioner may, under the orders and direction of the city council, proceed to construct or reconstruct such sidewalks at its own expense; the street commissioner shall keep an accurate account of the amount expended for labor and material, including grading and filling opposite each lot or piece of ground, and present the same, first, to the owner or agent of the property for payment, and if the same is not paid within five days from the date of presentation, the street commissioner shall then present said account to the city council for assessment and the council shall by ordinance, assess and levy a special tax against and upon the lots and pieces of ground abutting on the parts of the street where such sidewalks are so constructed, and each lot or piece of ground abutting on the sidewalks constructed or reconstructed shall be liable for the cost thereof, including grading and filling, as reported to the council by the street commissioner. There may be as many assessments included in one ordinance as there are lots or pieces of ground reported as having received resulting benefits from the construction or reconstruction of any such sidewalks, and the city clerk shall issue tax-bills payable to the city, against each lot or piece of ground for the amount for which it is liable.

Such tax-bills shall contain such recitals as shall be necessary to make them prima facie evidence in any suit thereon. All such tax-bills shall be assignable, and shall be a first lien on the lot or piece of ground described therein until paid, and shall be collectible in any action brought in the name of the city to the use of the holder thereof, or in any action brought by the city in its own name and for its own use; but where any such tax-bill has been assigned, the city shall not in any event be liable for any cost that may accrue in such action, nor will the city be liable for the amount of any such tax-bill after the same is assigned. All such special tax-bills shall, in any action thereon, be prima facie evidence of the regularity of the proceedings for such special assessments, of the validity of the bill, of the doing of the work and furnishing of the materials charged for, and of the liability of the property to the charge stated in the bills; and all such tax-bills shall bear interest from thirty days after date of issue of same until paid; but if not paid within six months after date of issue, then they shall bear interest from the date of issue at the rate of fifteen per cent per annum until paid.

SEC. 633. As soon as any such tax bills have been made out by the city clerk he shall enter an abstract of the same in his record book of special taxes, in the same manner as other tax bills are abstracted and recorded, and he shall then turn over such tax bills to the city collector, charging him therewith and taking his receipt therefor, duly indorsed on the record where such tax bills are recorded, and the city collector shall immediately proceed to collect or sell the same. All such tax bills not paid or sold within ten days after issue shall be turned over to the city attorney for the purpose of bringing suit thereon, and he shall sue on all such tax bills as soon as ordered so to do by the council. Any such tax bills may be sold at any time before or after suit is instituted, the defendant paying the costs.

SEC. 634. Any person or persons taking any contract with the City of Sedalia for work under any special ordinance.

passed in pursuance of this article and wherein the provisions, conditions and specifications hereof are made to control, shall be paid with special tax bills made in conformity of the provisions of this article and statutes in such cases made and provided.

SEC. 635. The cost of making any new sidewalk, whether upon petition or in place of sidewalks condemned, where the same are constructed by contract awarded by the city council after due advertisement, or when constructed by the city after advertisement and a failure to receive any bids therefor, shall be levied as a special assessment on all lots and pieces of ground abutting on such improvements, in proportion to the front foot thereof: *Provided*, that corner lots at street intersections or other places shall be liable for, and shall be assessed for the extension of sidewalks to the curb line each way.

SEC. 636. All sidewalks constructed by any contractor shall be paid for as hereinbefore provided, and as soon as completed and accepted by the city council, the city engineer shall compute the cost thereof, and return said computation to the city clerk, and the city clerk shall assess a special tax against the lots or tracts of land as above provided and shall make out a certified bill of such assessment against each lot or tract of land in the name of the owner thereof. Said certified tax bills shall be delivered to the contractor, and the contractor shall receive and receipt for the same in full for all claims against the City of Sedalia for all work done or material furnished under his contract.

SEC. 637. Said special tax bills shall in any action thereon be prima facie evidence of the regularity of the proceedings for such special assessments, of the validity of the bill, of the doing of the work and furnishing of the material charged for, and of the liability of the property to the charge stated in the bill, and shall be and become a prior lien upon the property charged therewith, and may be collected of the owner of the land in the name of the City of Sedalia to the use of the contractor, as any other claim, and in no event will the City of Sedalia be liable in any manner whatever, for or on account of any

work done or material furnished, or the cost thereof. Said special tax bills shall bear interest at the rate of eight per cent. per annum from thirty days after date of issue until paid.

SEC. 638. No formality whatever shall be required to authorize the repairing of any sidewalks, or reconstructing the same and making the assessments therefor, but the street commissioner shall, with or without notice, as the exigencies of the case may require or suggest, to be proper or just, do or cause to have done such repairs and furnish all material therefor keeping an accurate account of the cost thereof, and immediately upon the completion of any such repairs he shall present the account of the cost thereof to the owner or agent of the property to be charged therewith; if this may be done with reasonable convenience at any place within the city. If any person shall fail to pay any such account when so presented, the street commissioner shall report the same to the city council for assessment. He shall also report such accounts to the council for assessment as have not been presented to the owner or agent of any property to be charged with any such repairs so made. Any failure to present any account to the owner or agent for any such repairs so made shall in no manner, nor to any extent whatever, effect the validity of any assessment made therefor, but the same shall, in all cases, be taken as an accommodation to any such owner or agent. When the street commissioner shall conclude in any case to notify any property owner or agent of any defective sidewalk, said notice may be served in any of the ways below mentioned. A notice mailed to the proper address of any such owners or agents at any place within or without the city shall be sufficient, and if the place of residence of such owner or agent is not known to the street commissioner, it shall be sufficient to post such notice on the premises, and for that purpose he is authorized to enter any yard or other premises and fasten such notice to the fence, building or other conspicuous place on such premises; *Provided*, that it will always be competent to serve such notice by delivering a copy thereof to such owner or agent in person or by

leaving a copy thereof at the usual place of abode of such owner or agent with a member of his family over the age of fifteen years; *Provided*, that nothing herein shall be so construed as to prevent the street commissioner from making any such repairs after notice and before the expiration of the five days when any sidewalk is in such condition as to be dangerous to public travel, of which the street commissioner shall be the judge.

SEC. 639. Each lot or piece of ground abutting on any such sidewalk, or part thereof, shall be liable for its part of the cost of such work made along or in front of such lot or piece of ground, as reported to the council by the street commissioner, and the council shall, by ordinance, assess against and upon each lot or piece of ground receiving the benefit of such repairs the cost of the same, and the city clerk shall immediately issue tax bills therefor in accordance with such assessments, which tax bills shall contain such recitals as the law requires. All such tax bills shall be and constitute a prior lien upon the property liable therefor until paid; and shall bear interest from thirty days after date of issue until paid, at the rate of eight per cent. per annum, and shall be made payable to the city. If any such tax bill is not paid within six months after issue, the same shall bear interest as penalty for failure to pay the same, at the rate of fifteen per cent. per annum from date of issue until paid, and all such tax bills shall be assignable, and in any action thereon by the city, or any assignee of such tax bill in the name of the city to his or their use shall be prima facie evidence of the regularity of the proceedings for such special assessments, of the validity of the bill, of the doing of the work, and of the furnishing of the materials charged for, and of the liability of the property to the charge stated in the bill, and may be collected of the owner of the land.

SEC. 640. Immediately upon the issuing of such tax bills for sidewalk repairs by the city clerk he shall make an abstract record of the same as of other special tax bills, and turn the said tax bills over to the city collector for collection, and the city



collector shall receipt therefor and proceed at once to sell or collect the same, and the same proceedings shall be had as in the matter of tax bills issued to the city for the construction of sidewalks where no bids have been secured after due advertisement.

## CHAPTER 28.

### RAILROADS.

#### SECTION

641. Speed of cars in city limits.

642. Street crossings, regulations concerning.

#### SECTION

643. Misdemeanor, violation of this chapter, punishment.

SECTION 641. It shall be unlawful within the limits of the City of Sedalia for any car, cars or locomotives propelled by steam power, to run at a rate of speed exceeding ten miles per hour.

SEC. 642. It shall be unlawful within the limits of the City of Sedalia for any car, cars or locomotives propelled by steam power, to obstruct any street crossing by standing thereon longer than five minutes, and when moving the bell of the engine shall be constantly sounded within said limits, and if any freight car, cars or locomotives propelled by steam power be backing over any road or street crossing within said limits, a man shall be stationed on top of the car at the end of the train farthest from the engine, to give danger signals, and no freight train shall at any time be moved over any road or street crossing within the city limits unless it be well manned with experienced brakemen at their posts, who shall be so stationed as to see the danger signal and hear the signals from the engine.

SEC. 643. Any person, persons or corporation violating the provisions of either of the two next preceding sections, shall be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of this city, shall be fined not less than one dollar nor more than one hundred dollars.

## CHAPTER 29.

## REVENUE.

ARTICLE I.—Taxation and Taxable Property.

ARTICLE II.—Board of Equalization.

ARTICLE III.—Collection of Revenue.

## ARTICLE I.

## TAXATION AND TAXABLE PROPERTY.

## SECTION.

644. Taxes, purposes of.

645. Property exempt from taxation, what.

646. Personal property, what subject to.

## SECTION.

647. Amount of, fixed by ordinance.

648. Definitions of terms and phrases

SECTION 644. For the support of the city government, and the payment of the public debt and the interest thereon, and the advancement of the public interest generally, taxes shall be levied upon all property, real and personal, except as stated in the next section.

SEC. 645. The following subjects are exempt from taxation, viz: All houses and necessary equipments thereof, used exclusively for religious worship, and the lot of ground upon which the same may be erected; all orphan and other asylums for the relief of the sick or needy, with their furniture and equipments, and the land on which they are erected, and which is used therewith, so long as the same shall be used for that purpose only; all universities, colleges, academies, schools and other seminaries of learning, with the furniture and equipments and lands thereto belonging, or used immediately therewith,

and their endowment funds, when not invested in real estate, so long as the same shall be employed for that purpose only; *Provided*, that the land hereby exempted from taxation shall not exceed two acres; And *provided, further*, that such property so exempted shall not be under rent to any person, corporation or society, and shall not in any way or manner be paying or yielding any rent or profit; cemeteries and graveyards set apart and used for that purpose only; all real estate and other property belonging to any incorporated agricultural society, so long as the same shall be employed for the use of such society and none other; all libraries, their furniture and equipments, belonging to any library association or society; all lands, buildings and their fixtures and equipments, and all other property belonging to the city of Sedalia; all jails, court houses and other buildings and property belonging to the county of Pettis; and all property which is exempt from taxation by the charter of this city. Nothing in this section shall be so construed so as to exempt from taxation any description of property, when the same is held for the purpose of pecuniary profit or speculation, except as is provided in the charter of this city.

SEC. 646. All property personal by the laws of the state of Missouri, when situated in any other portion of said state than the city of Sedalia, shall, if the owner thereof reside within the city of Sedalia, be subject to taxation by said city, the same as personal property located within the limits of the city.

SEC. 647. The amount of tax laid upon property taxable by law and the charter and ordinances of this city, shall be fixed and the levy thereof made by ordinance in each and every year.

SEC. 648. The term real estate, real property, or lot, whenever used in this article, shall be held to mean and include, not only the land itself, whether laid out in city lots or otherwise, with all things contained therein, but also all buildings, structures and improvements, and other permanent fixtures of whatsoever kind thereon, and all rights and privileges belonging or in any way appertaining thereto, except when the

same may be otherwise denominated by this article. The term bonds or stock, wherever used in this article, shall be held to mean and include bonds or stocks of whatsoever kind, whether issued by incorporated or unincorporated companies, towns, townships, cities, counties, state or other corporations, held or controlled by persons residing in this state, whether for themselves or as guardians, trustees, or agents, on which the holder or owner thereof is receiving, or is entitled to receive interest for themselves or others. The term capital stock and shares of capital stock, wherever used in this article, shall be held to mean and include the capital stock of every association, corporation, joint stock or other company, the stock or capital of which is or may be divided into shares, which are transferable by the owner, for the taxation of the capital stock of which association, corporation, joint stock or other company, no special provision is made by this article, held by persons residing in this state, either for themselves, or as guardians, executors, administrators, trustees or agents. The term personal property, wherever used in this article, shall be held to mean and include bonds, stock, moneys, credits, the capital stock, undivided profits, and all other moneys not forming a part of the capital stock of every company, whether incorporated or unincorporated, and every share, portion or interest in such stock, profits or means, by whatsoever name they may be designated; every share or portion, right or interest, either legal or equitable, in and to every ship, vessel or boat shall be within the jurisdiction of the State of Missouri or elsewhere, and whether the same shall have been enrolled, registered or licensed at any collector's office, or within any county or collector's district within this state or not; the stock of nursier growing on leased land, or in the hands of nurserymen which has been separated from the soil where growing, and every tangible thing being the subject of ownership, whether animate or inanimate, and not forming part of any parcel of real property as hereinbefore described. The term money or moneys, wherever used in this article, shall be held to mean gold, silver and other coin, and paper or other

currency used in barter and trade as money. The term credits, wherever used in this article, shall be held to mean and include every deposit which the person owning, holding in trust, or having the beneficial interest therein, is entitled to withdraw in money on demand, and every claim or demand for money, interest or other valuable thing, due or to become due, or every annuity or money receivable at stated periods, including pay or salaries accrued or due from any source whatever, and all income or interest accruing from government bonds, and all money loaned or invested, and all indebtedness secured by deed, contract, mortgage or pledge of property of whatever kind; *Provided*, that pensions due and to be received from the United States shall not be held to mean annuities within the meaning of this article. The term property, wherever used in this article, shall be held to mean and include every tangible and intangible thing being the subject of ownership, whether animate or inanimate, real or personal. The term oath, wherever used in this article, shall be held to mean oath or affirmation. Every word in this article importing the masculine gender, may attach or be applied to females as well as males; and the word person as used in this article, shall be held to mean and include persons, firms, company corporation, or otherwise, whenever the case may so require its use or application.

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## ARTICLE II.

### BOARD OF EQUALIZATION.

SECTION 649.—Who constitutes, powers, duties, etc.

SECTION 649. The board of equalization for the equalization of values and assessments on property for the purposes of taxation for city purposes, shall consist of the county board of equalization and the mayor and assessor of the city. And for the purpose of giving the city representation on the county board of equalization when said board is sitting for the purpose



of equalizing the assessments on city property, the mayor and city assessor shall sit with the county board of equalization when the said board is passing upon the assessment of such city property, and shall each have a vote in said board, and they shall be paid for such services the same amount per day, and out of the same fund as other members of such board of equalization. The assessment of city property as made by the city and county assessor shall conform to each other, and after such board of equalization has passed upon such assessment and equalized the same, the city assessor's books shall be corrected in red ink in accordance with the changes made by the board of equalization, and so certified by said board, and then returned to the city council. All things not herein provided for shall be done as is provided by general law with reference to the equalization of assessments for state and county purposes.

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### ARTICLE III.

#### COLLECTION OF REVENUE.

##### SECTION

- 650. Notice to tax payers, collector to give, what.
- 651. Taxes, paid in what.
- 652. Penalties, when to attach, account of
- 653. Non-residents, to be furnished statement, etc., of taxes, etc.
- 654. Seizure and sale, when and how made.
- 655. Costs of, how taxed.
- 656. Shares and stocks of corporations, how assessed, may be seized and sold, when.
- 657. Corporation failing to give in stock, etc., penalty.
- 658. Taxes paid, how entered, receipted for, etc.

##### SECTION

- 659. Accounts, records and statements, collector to keep and make, what.
- 660. Delinquent tax list, to be made and returned, when.
- 661. Council to examine and give credit for same, when.
- 662. Delinquent tax book, clerk to make.
- 663. Taxes in delinquent book, how and when paid, etc.
- 664. When book is being made, how paid.
- 665. Delinquent list, failure to return, penalty.
- 666. Suit for taxes, tax attorney to be appointed.

SEC. 650. It shall be the duty of the collector of the revenue, immediately after the receipt of the tax book and delinquent tax book of previous years, to give notice that the tax

book for the current year has been placed in his hands for collection. Said notice shall be given by posting up at least six written or printed hand bills in different parts of the city, and by publication in all of the daily newspapers in the city for one week, and shall specify at what place in this city the collector may be found. It shall be the duty of the collector to be at such a place so appointed, ready to receive and receipt for taxes; and if he shall fail to so attend, without good cause, he shall forfeit and pay to any person injured double the amount of damages he may sustain by reason of such failure, to be recovered by civil action at the suit of the person so injured.

SEC. 651. All taxes shall be paid in gold or silver coin, United States legal tender notes, national bank notes or city warrants.

SEC. 652. If any person shall fail or refuse to pay the city taxes to the city collector on or before the first day of January next after the assessment and levy of the same, it shall be the duty of the collector to collect and account for as other taxes an additional tax, as penalty, of one per cent. per month for each month that such taxes remain due and unpaid; and the collector shall, on the day of his annual settlement with the city clerk and council, being the first Monday in April of each year, file with the city clerk a statement under oath of the penalties so received, and from whom received; and he shall settle with the city clerk, who shall see that the penalties aforesaid are accounted for upon all taxes reported paid by the collector on and after the second day of January of each year.

SEC. 653. The collector shall furnish all non-resident taxpayers a statement of the amount of taxes assessed against any tract of land or town lot in this city, for any year or years, as shown by the tax book or delinquent tax book in his possession, and send the same by mail to the address of any person applying to him for the same by letter; and if no taxes are due on any such tract or lot, he shall answer such letter of inquiry stating the fact; and when any funds are remitted to the collector, by mail or otherwise, for the payment of any

taxes appearing to be due on his tax book or delinquent tax book, it shall be his duty to receive the same, and send a receipt therefor by mail to the person so remitting. And the collector may tax up and collect against such person, as costs, all sums which he may have to pay for postage and stationery on account of such correspondence, but no other costs.

SEC. 654. The collector shall diligently endeavor, and use all lawful means, to collect all of the taxes which he is required to collect, and to that end he shall have the power to seize and sell the goods and chattels of the person liable for taxes, in the same manner as goods and chattels are or may be required to be seized and sold under execution issued on judgment at law; and no property shall be exempt from the seizure or sale for taxes, except as is provided in the charter of this city: *Provided*, that no such seizure and sale shall be made until on and after the first day of January of each year. But in no case shall such seizure and sale be made until the collector shall have demanded payment of the tax, either by personal application to the party liable to pay the tax, or by leaving a written or printed notice at the usual place of abode of such person, with some member of his family over the age of fifteen years, nor for ten days after such demand shall have been made, except the person or persons owing such tax are about to remove from the county, or the collector has reason to believe they are about to remove; then, in such cases, the seizure and sale may be made without any demand having been made. Seizure under this section may be made in any part of Pettis county.

SEC. 655. The collector shall, in every case of seizure and sale of personal property to pay taxes, in addition to the amount of tax due, levy the costs of such seizure and sale, and the penalty and interest provided by this article, and be entitled to the same fees as sheriffs for like services on execution.

SEC. 656. The cashier, secretary or chief clerk of any corporation, the shares of which are taxable by the charter and ordinances of this city, at the request of the collector, shall give

him a certificate under his hand, showing the number and amount of shares held in the stock of such corporation, the names of the holders and encumbrance thereon; and the collector in default of the payment by the corporation of the taxes due thereon; as required by this article, shall seize and sell the same, in the manner prescribed by this article, and the purchasers thereof shall be admitted to all the rights, powers and privileges that the holders of such shares had at the time of seizing the same, and shall be entered by such corporation on their books as the owners of such shares.

SEC. 657. If any corporation or officer thereof, shall fail to comply with the provisions of the preceding section, such corporation shall forfeit to the city the sum of five hundred dollars, to be recovered by civil action at the suit of the city.

SEC. 658. Whenever any person shall pay taxes charged on the tax books, the collector shall enter such payment in his list, and give the person paying the same a receipt, specifying the name of the person for whom paid, the amount paid, what year paid for, and the property and value thereof on which the same was paid, according to its description on the tax book, in whole or in part, just as the case may be, and the collector shall enter "paid" against such tract or lot of land when he collects the tax thereon. The collector shall receive taxes on part of any lot, piece or parcel of land charged with taxes, provided the person paying such taxes shall furnish a particular specification of the part; and if the tax on the remainder of such lot or parcel of land shall remain unpaid, the collector shall enter such specification in his return, to the end that the part on which the tax remains unpaid may be clearly known. If the payment is made on an undivided share of real estate, the collector shall enter on the tax books the name of the owner of such share, so as to designate on whose undivided share the tax has been paid.

SEC. 659. The collector shall, in a book to be provided for that purpose, keep a correct account of all moneys received by him as collector, showing, in a tabular form, the various

sums received, from whom received, when received, and on what account, and the number of the receipt given therefor, and the amount of discounts allowed, and the amount of penalties charged and collected; and he shall in such book, open and keep separate accounts as follows: One for general taxes; one for delinquent taxes; one for licenses; and one for money received from all other sources; and said book shall be a public record, and open at all times proper for the inspection of the mayor or any member of the city council. Said collector shall, at the end of every month, make a sworn statement of the collections made by him during the month, itemized as above indicated, and shall file the same with the city clerk on or before the first Monday of the next month, together with the treasurer's receipts for all moneys collected during the month; and the clerk shall compare such statement with the aforesaid book, and lay said statement before the city council at their next regular meeting, with his certificate to the correctness thereof, if it be correct, and if it be not correct, the clerk shall state wherein it is not correct. And in all matters or detail under this article not otherwise provided for, the collector and the clerk shall be governed by such rules and regulations as the city council or the committee on finance may, from time to time, prescribe.

SEC. 660. The collector shall, on the first Monday in April in each year, return to the city clerk the list of lands and lots upon which he has been unable to collect the taxes, with a full description of such lands and lots, with the amount of taxes due thereon set opposite each tract or lot, and a list of the delinquent personal property, alphabetically arranged, with the amount due from each person.

SEC. 661. The city council shall, at their next meeting after the return of the delinquent list or as soon thereafter as may be, examine the same, and the collector shall receive a credit for the same, or so much thereof as the said council shall find to be correct; *Provided*, that no credit for delinquent taxes shall be allowed the collector until he shall have made affidavit



that he has made diligent search, and has been unable to find any personal property out of which to make the tax.

SEC. 662. The city clerk shall, immediately after receiving such delinquent list, make out a book to be known as the delinquent tax book, which shall contain a list of lands and lots upon which taxes are unpaid, with the amount of tax due, and the interest, penalty and costs added thereto, and with separate columns for the taxes of each year, with the columns added up, and the aggregate amount noted on each page, which book shall be delivered to the collector of the city for the ensuing year as soon as he shall have qualified and receipted for the same, and he shall be charged with the amount of taxes charged therein.

SEC. 663. The collector shall receive all taxes charged in said delinquent tax book, as long as the same shall remain in his possession, which may be tendered to him; give proper receipts therefor, and mark the same paid opposite to the description of property upon which the taxes may be so paid; and he shall, upon receiving the tax book for the current year, settle for the said delinquent tax book in like manner as for the original tax book.

SEC. 664. If any person shall desire to pay his taxes between the first Monday in April and the day upon which the city clerk shall deliver the delinquent tax book to the collector, he shall apply to the city clerk, who shall make out for such person duplicate tax receipts, which receipts shall be like unto the collector's tax receipts as provided for in this article, and the collector shall sign both of such receipts, and receive the taxes therein indicated; and the person so paying his delinquent taxes shall return said receipt to the city clerk, who shall countersign the same, and no receipt shall be valid unless countersigned by the city clerk, who shall then mark on his delinquent tax book "paid" opposite to the property described in such receipt, and charge the collector with the amount so received by him.

SEC. 665. If any collector shall fail to return the delinquent list on the first Monday of April, as provided, he shall forfeit to the city five hundred dollars, to be recovered by civil action; *Provided*, that the city council may, in their discretion, relieve him from such forfeiture.

SEC. 666. It shall be the duty of the city collector, under the supervision of the committee on finance, whenever any taxes may be due the city, to demand payment of said taxes, and if necessary to bring suits for the recovery of the same, and upon the recovery thereof to pay said taxes into the city treasury and the mayor shall have the power to name some competent attorney to bring suits for any delinquent taxes, who shall be known as "special tax attorney."

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## CHAPTER 30.

### SEAL OF CITY.

SECTION  
667. By whom kept.

SECTION  
668. Design and style of.

SECTION 667. There shall be a common seal for the city of Sedalia, and the city clerk shall be the keeper thereof.

SEC. 668. The seal of the City of Sedalia shall be of the ordinary size, and so engraved as to represent by its impression the device of an eagle, surrounded by the words, "Seal of the City of Sedalia, Mo.," in Roman capitals.

## CHAPTER 31.

## SEWERS.

ARTICLE I.—Public Sewers.

ARTICLE II.—District Sewers.

ARTICLE III.—Sewer Connections.

## ARTICLE I.

## PUBLIC SEWERS.

## SECTION

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SECTION 669. That there is hereby established within the City of Sedalia, Missouri, a general sewer system, which shall be divided into three classes, to-wit: Public, district, and private sewers. All sewers which shall hereafter be made and constructed in the streets and avenues of the City of Sedalia, and

not specially made a part of district sewers, in or over private property, and established by special ordinance passed by the city council, shall be deemed public sewers. All sewers that shall hereafter be made and constructed in alleys and across streets in continuation from alley to alley, under ordinance of the city council, to connect with public sewers in streets, or with other district sewers, shall be deemed district sewers; and all sewers hereafter made and constructed upon private property and connected with district and public sewers under general ordinance, shall be deemed private sewers.

SEC. 670. That the maps, plats, profiles, drawings, grades, specifications and forms and contracts prepared by City Engineer J. C. Johnson and Consulting Engineer Geo. P. N. Sadler, shall be filed in the city clerk's office and preserved for future reference, and shall be deemed and considered as a basis of the sewer system established by section 669 of this article. And all calculations and contracts for the construction or reconstruction of all public sewers within the city, shall be guided by, and based upon, said maps, plats, profiles, drawings, grades, specifications and forms, unless specially changed or other or different specifications provided by ordinance.

SEC. 671. Whenever the words "the engineer" appear in specifications and ordinances, they shall be taken to mean in all cases the city engineer, or any subordinate engineer in charge of the part of the work or supply referred to. In case of dispute or doubt between the contractor and subordinate engineer, reference may be made by either party to the city engineer, whose decision shall be final.

SEC. 672. Whenever the words "as indicated" shall appear in specifications and ordinances, they shall be taken to mean in the manner described in the specifications as shown on the drawings, which drawings shall be filed in the city engineer's office.

SEC. 673. Public sewers are to be built of materials, sizes and dimensions with the connection, inlets and man-holes on the lines, at a depth, and in the manner shown on the plans

to be filed in the office of the city engineer. All dimensions, materials, lines and grades must be in full accordance with the plans. All necessary junctions for the connection of branch sewers, and all pipes for house connections, are to be built on the proposed sewer at the points indicated on the plan of work. The contractor will be furnished with a complete set of tracings showing all the details and dimensions necessary to carry on the work. Dimensions given thereon in figures are to have the preference over the scale; such plans and a copy of the specifications are to be kept constantly on the work by the contractor or his authorized foreman. The plans and specifications are intended to include whatever may be requisite to render the work complete, and should anything be accidentally omitted, the same shall be done by the contractor without charge, or by agreement as to the cost. No deviations from the drawings or specifications will be allowed, unless a written direction shall have previously been given to the contractor by the engineer. The engineer will give the lines and grades for the construction of the work, and the contractor will be required to preserve all stakes, bench marks, etc., made or established on the line of the work, until authorized to remove the same.

SEC. 674. The contractor shall furnish all labor, materials, tools and plant necessary to complete the entire work in the best possible manner. He shall employ only faithful laborers and skilled mechanics. All materials furnished and all work done, which in the opinion of the city engineer, shall not be in accordance with the specifications, shall be immediately removed, and other materials provided, and work done which shall be in accordance therewith. If any difference or dispute shall arise as to the efficiency of labor, or the quality of material employed, or used, they shall be settled by the engineer, whose decision shall be final.

SEC. 675. All material excavated or delivered shall be placed where directed, so as to interfere as little as possible with travel. The contractor shall furnish and maintain all necessary fences and bridgeways, and shall place sufficient lights



in or near the work, and keep them burning from twilight till sunrise, and provide watchmen for the safety of the public, whenever deemed necessary by the engineer. The contractor is required to sling, shore up and secure in their places, all water, sewer and gas pipes in such manner as shall secure them from injury, and to provide and maintain the flow of drainage, and water courses, whether on the ground or under the same, which may be interrupted during, and by the progress of the work. Whenever it becomes necessary to remove pipes or drains from their positions, they shall be cared for by the contractor at his own expense. All gutter, flag and paving stones which have been displaced by the work, are required to be reset. Should any stone be unfit to be reset, of which the engineer shall be the judge, new stone shall be furnished and delivered on the ground by the city, and set in place by the contractor.

SEC. 676. The contractor shall be responsible for all injuries to water, gas pipe, or other structures met with in the prosecution of the work, and shall be liable for damages to public and private property resulting therefrom, which amount may be deducted from any estimates due him. The contractor shall assume all responsibility for loss, damage or injury, to persons or property arising out of the nature of the work, from the action of the elements, or from unforeseen or unusual difficulties. The contractor shall indemnify and save harmless the City of Sedalia, Missouri, from all suits or actions of every name and description brought against it, for, or on account of any damages or injuries received or sustained by any party or parties, by or from the contractor, his agents or servants, in the performance of the work under his agreement. If the contractor shall abandon the work under his agreement, or if at any time the engineer shall be of the opinion, and shall so certify in writing to the contractor and city council, that the whole work, or any part of it, is unnecessarily delayed, or that the contractor is willfully violating any of the conditions or covenants of his contracts, or executing the same in bad faith, his

contract shall become null and void, and the security bonds forfeited, and materials delivered and built into the works shall be the property of the City of Sedalia.

SEC. 677. The ground shall be excavated in open trench of the necessary width and depth. The trench, except in rock excavations, shall be opened from the surface of the ground to the level of the horizontal diameter of the sewer to a uniform width. Below this level the ground shall be excavated to the exact curve of the exterior circumference of the sewer or of other form or depth as the engineer shall direct. A trench to receive a tile drain shall be excavated to a true line below the lowest exterior line of the sewer, whenever such tile drain shall be directed by the engineer. The sides of the excavation shall be supported by suitable sheet piling or planking and shoring whenever necessary. All irregularities in the bottom of the trench shall be filled up to the required level, as indicated, with gravel, sand or earth, firmly rammed in, or with concrete, as the engineer shall direct. The contractor shall excavate the trench to such increased depth as the engineer may decide to be necessary, and shall bring it up to the required level, and form with such material and in such manner as the engineer shall determine.

SEC. 678. In back-filling great care should be taken not to disturb the pipes by throwing earth upon them from the top of the ditch, or by the side of them until a covering of at least two feet has been made. After a small portion of the pipe has been covered to the depth of two feet, a man will stand on the filling and will continue this depth of two feet along the line of the sewer, by carefully placing over the pipes in front or before him such fine, dry earth as shall be shoveled to him by a man above. In completing the filling over the first two feet, earth will be rammed with a pavart rammer. In covering streets, sidewalks, gutters and alleys that are paved, the number of men that are back-filling shall not be more than that of those ramming; and when, in the opinion of the engineer in charge, necessary, the street at crossings of sewers shall be planked. Other portions

of the sewers, the back-filling to be rammed, but not with so much care. The battoning, pipe-laying, and the first two feet of back-filling, will be under the immediate supervision of the inspector, who will also, in a general way, see that the remainder of the back-filling is properly done.

SEC. 679. No more than 200 feet of trench shall be opened at any one time in advance of the complete building of the sewer, and the complete filling to the surface of the same, unless by written order of the engineer and for the distance therein specified. The re-grading, re-paving, re-macadamizing and re-constructing, as the case may be, shall be completed at all times to within 200 feet of the completed brick-work of the sewer and all surplus earth, sand or rubbish, beyond that distance, shall be immediately removed.

SEC. 680. All brick must be of the best quality, hard burned, free from all cracks and warped surface; they must give a clear, ringing sound when struck together; only whole bricks will be used, except in closing circles, all bats being immediately removed from the work. All bricks to be thoroughly wet by dipping immediately before laying; every brick shall be laid in a full joint of mortar on its bed, end and side at one operation; no mortar to be slushed or grouted in afterwards.

SEC. 681. In these specifications mortar means one part of Portland cement and four parts of clean, sharp sand, entirely free from loam, and the sand must be washed, if necessary, to insure this. All mortar must be thoroughly mixed dry, and wet only as required for immediate use, in a proper vessel, or on a tight flooring, in no case on the pavement or ground; cement to stand 100 pounds in tension, 24 hours' test.

SEC. 682. Concrete shall be composed of one part mortar, as above described, two and one-half parts clean broken stones, free from dust or dirt, and broken to pass through a two-inch ring; it shall be quickly and thoroughly mixed and deposited in layers not exceeding nine inches thick, rammed slightly to bring the water to the surface when laid, it must not be disturbed till well set. All gravel and broken stone that is

dusty or dirty, must be thoroughly screened or washed; any piles having any mixture of dirt, or of stone over size will be rejected.

SEC. 683. Man-holes will be built at points indicated on the drawings or as directed by the engineer. The brick work will be carried up within eighteen inches of the grade of the street, from the templets set at top and bottom, and connected by lines, wrought-iron rods, good quality, built in each sixth course of the brick for ladder size and shape given in drawing. A cast-iron man-hole and cover with ventilation properly fitted on each man-hole; each man-hole completed as the work progresses to them. When it may be necessary for the contractor to do night work, to insure the expedition of the contract, he shall notify the engineer, so that such work may be properly inspected, and whenever a greater length of trench is found desirable to be opened at one time, or intermediate sections are desired, the consent of the engineer will be required. So far as applicable these specifications will extend to the construction of the district or foul sewerage system and any omission may be corrected by the engineer and contractor in general accord with their meaning and intent.

SEC. 684. The laterals are to be of the best quality of vitrified pipe, each length to be inspected before hauled to the work, and any pipe that is materially out of a true circle, rough or defective inside, or with imperfections in the bowls or spigots, that would hinder them being properly joined, shall be rejected, pipes slightly curved may be used in passing curves in the line, but not elsewhere; lumps, bubbles or imperfect glazing on the inside must cause rejection. All sockets must be large enough to take all spigots and leave sufficient room for a gasket to be pressed in all round, when the pipes are held concentric by the adjuster. Brick and concrete work, and materials generally must be in accordance with other sewerage specifications. Gaskets of oakum or jute will be pressed into all joints so as to prevent all intrusion of cement to the interior of the pipe.



SEC. 685. The line of the completed sewer will be indicated by stubs or grade pegs, set away from it as may be determined by the engineer so that they may remain undisturbed during the work; any replacement of such pegs made necessary by the carelessness of the contractor or his employees, will be at his expense. All trenches to be dug to such width as to leave a clear space of four inches on each side of the bell of the pipe, whenever bracing is required to secure the ground against caving and sliding this breadth must be kept inside of such work. The finest and best earth must be thrown to one side for covering the pipes, the coarser materials kept separate, so that none of it shall come in contact with the pipes. The trench must not be excavated more than one hundred feet in advance of the pipe laying, nor left unfilled more than one hundred feet behind it, unless by permission of the engineer in each case. Special provisions must be taken to insure the safety of buildings and property near the excavation. Trenches will be excavated first to within four inches of final grade, the remainder of the earth being taken out not more than ten feet in advance of the pipe laying by men selected for skill in grading. The grade at the bottom will be obtained by measuring down from cross pieces placed horizontally on top of the grade pegs, which must be placed not more the fifty feet apart, the depth of cutting being marked on the stubs; all intermediate points in the grade will be determined by the use of boning rods. Should the trench be excavated below the grade, it must be filled with sand or dry earth, thoroughly rammed to prevent settling.

SEC. 686. Whenever practicable lay pipes from the upper end, to the line downwards. In addition to the first inspection, all pipes must be examined before placing in the trench, and carefully watched, so that they will form a true line of sewer; pipes found imperfect must be rejected; although they may have passed a previous inspection. Special care must be taken to lay all pipes to exact grade. In six and seven inch pipes the connection of each two pipes must be made true, and kept



in place by the adjuster, till the gasket has been pressed in entirely around, and the pipes so secured against dropping or other movements, as well as to guard against the intrusion of cement. No joint should be cemented until the gasketing of the next joint in advance has been finished. The cement mortar must be so pressed into the joint as to entirely fill it, especial care being taken at the bottom, and filled to a level joint neatly all around. Before each pipe is laid the bottom must be excavated below the depth required to receive the socket, so that the length of the pipe will rest firmly on the graded bottom of the trench. After the joint has been made, this excavation must be filled with sand, or fine earth to support the mortar firmly in its place. The joint being finished, great care must be taken not to disturb the pipes by stepping on them or throwing earth on them from the banks. Water must not be allowed to accumulate in the trench so as to soften the bottom or injure the joints during construction. The Y branches for house connections must be set as nearly as possible at the joints indicated by the engineer, and their exact position shown by stakes driven by a plumb line on the bank above them; an exact record of their position by measurement shall also be kept and furnished the engineer, and any neglect to comply fully with this condition will forfeit payment for work without giving the contractor any credit for such unrecorded work. The upper end of all pipes, including the Y branches, must be closed with an earthenware cap or disc of sheet iron, and the socket filled with lime mortar; the caps or disc must completely cover the opening in the pipe and must be held in position till the socket is filled. At each one hundred feet in the course of all sewers of a less diameter than twelve inches, a length of pipe must be used having a hand hole covered with an earthen cap, or plate of sheet iron fastened with lime mortar, this being done before the pipe is lowered. Every third one of these is to have its cup filled with a branch the same size as the sewer, and a pipe of the same diameter of the sewer, carried to within two feet of the top of the ground. The exact position of these hand

holes and stand pipes must be indicated by stakes and recorded, as provided for in house connections. When removing any of these caps for inspection or connections, great care must be taken to prevent the entrance of cement, earth, etc., into the sewer. The exact grade of pipes larger than eight inches will be obtained by the use of a straight edge laid on the inside bottom of the pipes, and running forward to grade pegs, set in bottom of trench. When the bottom of the trench is so soft as to endanger the settling of the pipes they will be supported by saddle piles of inch boards, driven into the ground, using the piles for each joint, the same work may facilitate pipe laying, where the ground has become soft by walking on it. When the trench is left for the night the pipes must be closed water tight, and also when the work is stopped for rain storms. Back filling and under draining will be done in the same manner as in large sewers. The requirement of under draining to be determined by the engineer, either before contracting or on inspection, and a price per foot will be made for under draining distinct from other work, such drain till will be of size and laid as the engineer may direct.

SEC. 687. Public sewers shall be constructed under contracts let by the city council, under the provisions and in accordance with this article, and in sections of such length and size, as may be determined upon from time to time by the council; and the council shall have the right to terminate or suspend any such contract let for the lack of sufficient funds, or for any other good cause.

SEC. 688. Any one or more private sewers may connect with any public or district sewer at regular inlets only, and under the direction of the city engineer, by any licensed plumber who has executed to the city a proper indemnity bond, upon the owner of such private sewer paying into the city treasury the sum of one dollar, and whenever the treasurer's receipt is presented to the city engineer for such payment, it shall be the duty of the city engineer to issue a permit for such connections, which permit shall give the name of the plumber, and place of

such connection, and limit the time, not to exceed thirty days, in which said work shall be done. But such connections shall not be deemed private property, but shall always be under the control of the city council.

SEC. 689. Any person who shall willfully injure or destroy any public, district or private sewer in this city, or any part thereof, or who shall connect with any sewer in violation of any provisions of this article, or who shall in any other manner willfully violate any of the provisions of this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof, punished by a fine of not less than five nor more than one hundred dollars, or by imprisonment in the city jail not to exceed three months, or by both such fine and imprisonment.

## ARTICLE II.

## DISTRICT SEWERS.

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SEC. 690. The construction of all district sewers within the city shall be controlled and governed by this article, except so far as may hereafter be otherwise specially provided in the ordinances locating and providing for the construction of any such district sewers.

SEC. 691. The boundaries of all sewer districts and the location of all district sewers shall be fixed from time to time by ordinance, and each ordinance providing for the construction of a district sewer shall specify the size or diameter, and the kind or character of material of the different parts of such district sewers.

SEC. 692. The city engineer shall have general charge of the construction of all district sewers, and shall superintend the same. It is hereby made his duty to prepare the necessary and proper plats, plans, profiles and estimates for each district sewer, and to file the same in his office before the passage of the ordinance providing for the construction of such district sewer.

SEC. 693. All sewers shall be located on the lines shown on the plans of the work, and shall be staked out by the city engineer, and the contractor shall be required to carefully preserve all stakes until permission is given by the city engineer to remove the same.

SEC. 694. The trenches shall be excavated to the necessary depths and widths, and at half the diameter of the pipe from the bottom of the trench shall be one foot wider than the greatest horizontal diameter of the pipe to be laid therein, and under such other regulations as may be deemed necessary by the city engineer. The sides of the trenches shall be supported by suitable sheeting, planking and shoring wherever necessary, and only that left in by order of the engineer and in such manner as he may direct, for the protection of pipes, buildings, streets or other structures, will be paid for at the price bid per thousand feet, board measure.

SEC. 695. The contractor shall construct district sewers as hereinafter provided, and shall be responsible as by law provided, except that he shall be responsible for the very slightest negligence, and he shall be held to the very highest degree of diligence for any damage done to private persons, and such contractor shall be required, without cost to the city, to replace all pavements, crossings or sidewalks, or any other public property that may be displaced or injured, and he shall remove from the street all surplus material, rubbish or other impediment immediately after the completion of the work and shall put the street in as good condition as the same was found to be.



SEC. 696. The contractor shall be required to sustain by timbers and sufficient chains, all water or gas pipes, which may be in any way effected by the work, and to do everything necessary to protect, support and sustain said water or gas pipes, lamp posts, service pipes, and other fixtures laid along side or across the street.

SEC. 697. The contractor shall make provisions, as far as possible, for the free passage of vehicles and foot passengers and shall not obstruct unnecessarily the gutters of the street, nor prevent in any manner the flow of water in the same.

SEC. 698. The contractor shall erect and keep erected a fence or railing around the excavation, if required, or if necessary, whether required or not, and shall place sufficient red lights on or near the work and keep them burning from twilight in the evening until sunrise and shall employ a watchman as an additional security whenever the same may be necessary and required by the engineer, and he shall be held responsible for any damage that any party or the city may sustain in consequence of neglecting the necessary precaution in protecting the work, whether required by the engineer to take such precaution or not.

SEC. 699. No more than 500 feet of trench shall be open at any time in advance of the completed portion of the sewer, unless by the written consent of the engineer and for the distance therein specified.

SEC. 700. The contractor shall pump out or otherwise remove any water which may be found or shall accumulate in the trenches, and shall perform all other work necessary to keep the excavation clear of water. No work shall be allowed to be laid in water and no water will be allowed for any work unless permission is given by the engineer.

SEC. 701. Whenever, in the judgment of the engineer, the natural bottom is not a suitable one on which to build the sewer, the contractor shall excavate a trench to such increased depth as the engineer shall decide to be necessary and shall bring it up to the required level and form, with such material

and in such manner as the engineer shall determine, and if the price for such extra foundation is not in the schedule then the price shall be determined as provided in the specifications.

SEC. 702. All district sewers of six feet or over, internal diameter, shall be constructed of three rings of brick all laid as stretchers and all sewers less than six feet and over two feet, internal diameter, of two rings of brick all laid as stretchers, and all sewers two feet or less, internal diameter, shall be constructed of hard burned, double strength vitrified tile pipe.

SEC. 703. All man holes, catch basins and flush tanks shall be made in the manner shown on the plans and carried up to the established grade line of the street or alley, where the same are located. The joints shall be struck and pointed on the inside and the outside plastered with good cement mortar when required. The foundation, when necessary, shall be made of concrete to a depth of not less than twelve inches. At the head of each district sewer and branch thereof, of over 1,000 feet in length, when specially provided for in the ordinances hereafter establishing district sewers, there shall be constructed an automatic flush tank of such size and capacity, and provided with such valves, appurtenances and water connections as may be designated by the city engineer. There shall be located on each district sewer, or branch thereof, either a man hole or lamp hole at intervals not to exceed 350 feet, unless otherwise provided in the several ordinances hereafter establishing district sewers. Each man hole, catch basin and flush tank shall be provided with a cast-iron head or cover of such dimensions, size and weight as may be specified by the city engineer.

SEC. 704. In that part of the sewer designated as directed to be a brick sewer or at any place where brick shall be required, all brick must be of the best quality, hard burned and free from marks and cracks and warped surfaces and they must give a clear ringing sound when struck together. The bricks will be culled and selected as they are brought upon the ground, and all bricks of an improper quality and all bats must be immediately removed from the same. All brick shall be made

thoroughly wet by dipping immediately before they are laid, and every brick shall be laid in a full joint of mortar in its bed, ends and sides, at one operation and no mortar shall be slushed or grouted in afterwards.

SEC. 705. The cement used in the work shall be of the best quality of Louisville hydraulic cement and shall be kept under cover and dry until used. Cement shall be fresh ground and shall be tested and accepted by the city engineer before being used in the work. Cement will be required to stand a tensile strength of fifty pounds twenty-four hours after mixing.

SEC. 706. All mortar shall be made of one part, by measure, of the above described cement and two parts, by measure, of clean, sharp sand. All mortar must be thoroughly mixed dry and wet only as required for immediate use in a proper box made for the purpose and in no case upon the pavement or ground.

SEC. 707. Concrete shall be composed of one part of mortar as heretofore described, and three parts of clean, broken stones, free from dirt or dust, and broken to pass through a bung two inches in diameter, the whole to be thoroughly mixed in a box dry, according to the directions of the engineer, and the water to be added to only so much of the material as can be used at once. It shall immediately be laid in layers of not less than three inches in thickness and shall be settled into its place by ramming sufficient to flush the mortar to the surface. When in place all wheeling, working or walking on it must be prevented until sufficiently set.

SEC. 708. Pipes shall be of the best quality of double strength vitrified clay pipe thoroughly burned, true in form and free from warps, cracks, soft spots or imperfections of any kind, uniform in texture, and shall be well and smoothly salt glazed in the best manner over their inner and outer surface. Pipes when required to be curved, or of any other special form, shall be furnished and laid.

SEC. 709. Each pipe is to be laid on a firm bed and in perfect conformity with the lines and levels given; the bottom

of the trench under each socket must be excavated; the pipes must be fitted together and matched before being lowered into the trench so as to secure the truest line possible on the bottom of the inside pipes.

SEC. 710. When laid in the trench the joints shall be made by fitting it with cement mortar, made as before specified; the joint shall be made by forming a bed of cement or mortar on the lower half of the socket of the pipe in place, then insert the next joint, forcing the end to a contact and bedding down in the mortar in such a manner that there shall be no shoulder or want of uniformity of surface on the bottom of the interior of the pipe. Then with a trowel apply the mortar to the space on top until it is forced through to the inside; then wipe the joint and keep the pipe clear of all debris and mortar and droppings.

SEC. 711. The earth filled around and on top of the pipes shall be free from stone or other hard substance of over one inch in diameter, to a depth of one foot above the crown of the sewer and shall be thrown in with a shovel and not dropped from barrels or carts, but no sewer or part thereof shall be covered without orders from the engineer. In refilling, the earth shall be thoroughly rammed with proper tools as the work progresses in horizontal layers not exceeding twelve inches in thickness, or the trench may be packed by flushing according to the direction of the engineer. Special care must be taken in filling around the pipes to keep the earth at the same height on both sides of it, and in no case shall the number of men refilling be more than twice the number of those ramming, when it is not thoroughly flushed with water. The trench must in all cases be filled to the proper grade and due allowance must be made for the settlement of the materials used in refilling.

SEC. 712. Should there be a deficiency of proper material for refilling, the contractor shall be required to furnish the same at his own expense, and in all cases the streets and alleys must be filled to the same height as they previously existed, unless the engineer shall otherwise direct.

SEC. 713. All sewers and foundations when completed shall be covered with not less than two feet of earth at any point. The "Y" branches for house connections must be set as nearly as possible at the point indicated by the engineer and their exact position shown by stakes driven by plumb line on the bank above them. All "Y" branches must have a proper socket on the outer end, and when not immediately used must be closed by an earthenware cap covered over with cement.

SEC. 714. Lamp-holes shall be made by turning the branch of a "T" upward at the point designated and extending a line of six inch pipe upward to within one foot of the grade of the street.

SEC. 715. The sewer shall be measured on the center line. The contractor is to furnish all labor, material and tools necessary to execute the entire work, and all materials must be of the best of their kind, and the tools such as to do the work in the best possible manner. All materials furnished and work done, shall be inspected and if not in accordance with the specifications, will be rejected and shall be immediately removed from the work. If the contractor neglects or refuses to remove the work or material as above, when ordered, then the engineer shall have the right and authority to stop the whole work at once, and employ men to remove the work or material at the cost and expense of the contractor. The work shall be prosecuted diligently from day to day at and from as many points, and at such line and in such places as the engineer may determine. The contractor shall furnish necessary facilities, when it is deemed advisable to make an examination of the work already completed; during the progress and until the acceptance of the whole work, the sewer, man-holes, etc., are to be kept thoroughly cleaned and before the work will be considered finished, all unused material and rubbish due to the construction of the work must be removed, and curbs, crosswalks, pavements, sidewalks and all other public or private property disturbed or damaged must be restored to their former condition, and all to the satisfaction of the engineer in charge. During



freezing weather all work must be suspended, and the work must be suitably covered, to protect and preserve it from all injury from the weather or otherwise, and if the engineer shall so direct, the trenches shall be filled and all superfluous earth removed.

SEC. 716. Work must be commenced ten days after the contract is awarded, and shall be completed within such time thereafter as shall be fixed by ordinance or contract, or such further time as the engineer may deem reasonable. The work specified herein shall be executed under the direction and supervision of the city engineer of the City of Sedalia, and his measurements and estimates of the several kinds of work performed under this contract shall be conclusive, final and binding on the parties thereto, and he shall have the power to reject or condemn all work which, in his opinion, does not fully conform to the spirit of the specifications, and said engineer shall decide every question which occurs or may arise between the parties thereto, relative to the execution of the work, and his decision shall be binding and final. It is provided, however, that the final acceptance of the work, if accepted, shall be by an order of the city council. If any foreman, agent, mechanic or laborer employed by the contractor shall, in the opinion of the engineer, execute his work in a manner not in accordance with the specifications, or prove amiss or inadequate to the performance of his duty, or disrespectful or riotous in his conduct, he shall, by the direction of the engineer, be discharged, and no person shall be employed on the work in the capacity of foreman or overseer who has previously been discharged for neglect or unfaithfulness, in respect to any work within the knowledge of the contractor or engineer. Whenever work is required to be done, which is not contemplated or covered by the prices bid, the engineer shall fix such prices as he shall consider just and equitable. The parties shall abide by such prices, provided the contractor enters upon and commences such work with the full knowledge of the price so fixed by the engineer. In case the contractor refuses to perform such extra work, then the city may

enter into a contract with any person or persons for its execution the same as if the original contract had never existed; and if the extra work not provided for in the original contract, be performed by the contractor without protest or notice in writing to the engineer and to the city, before prices shall have been fixed for such work, then the engineer shall estimate the same at such prices as he shall deem just and reasonable, and his decision shall be final, but nothing shall be deemed extra work that can be measured or estimated or included in the original contract.

SEC. 717. After the work shall have begun it shall be carried on regularly with such a force as to secure its full completion within the time agreed upon, but should the work be delayed or interrupted by the city, the contractor shall be entitled to an extension of time equal to the time of such delay or interruption, and no charges against the city shall be made by the contractor for hindrance or delay. It is further understood and agreed that on a failure to execute the work or furnish material in accordance with the plans and specifications to the satisfaction of the engineer, or to proceed with sufficient rapidity to secure its completion within the time allowed by the contractor, the engineer shall have the right and power to enter upon and take possession of the work and provide material and workmen sufficient to finish said work, after giving three days' notice in writing, and the expense of such work shall be deducted from the contract price, and if the sum to be paid shall exceed the sum due the contractor under his price, then the contractor and his bondsmen shall become liable, and on demand refund to the city any sum by which the expense of so doing the work shall exceed the amount due under the contract. The city engineer shall have the right to make any alterations in the line, grade, plan, form or quantity of the work contemplated, either before or after the commencement of the work. If such alterations diminish the quantity of work to be done, they shall not constitute a claim for damages or for anticipated profits on the work dispensed with. If they increase the amount of work, such in-

crease shall be paid for according to the quantity actually done, as heretofore described.

SEC. 718. The contractor shall not be allowed to sub-let the whole or any part of the work without special permission from the city engineer, and should this provision be violated, the city council may, at their option, end and determine the contract.

SEC. 719. The contractor shall have charge of and be responsible for the line of the works until their completion and acceptance, and any unfaithful or imperfect work that may be discovered before the final acceptance of the work, shall be corrected immediately on requirement of the city engineer, notwithstanding that it may have been overlooked and estimated. The inspection of the work shall not relieve the contractor from any of the obligations to perform the work as herein provided.

SEC. 720. Any person taking any contract from the city of Sedalia to do work under the provisions of this article, agrees to be paid from the special tax-bill made in accordance with the provisions of the ordinances authorizing such improvements and in conformity with the provisions of the statutes made and provided.

SEC. 721. The city engineer shall prepare general plans and drawings of man-holes, lamp-holes, flush tanks and catch basins and covers thereof, and submit the same to the city council for inspection and approval. Any maps, plans, profiles, drawings, grades and specifications, filed in the office of the city engineer or to be provided for future reference, shall be deemed and considered as the basis of district sewers, provided for by ordinance; and all calculations and contracts for the construction of district sewers, established by ordinances, shall be based on said maps, plans, specifications, drawings and grades, unless specially changed thereafter by ordinance.

SEC. 722. Whenever the words "the engineer" appear in the specifications and ordinance, they shall be taken to mean the city engineer in all cases, or his authorized assistant or any other person employed by the city council to superintend such

work, or any subordinate engineer or person put by the city engineer in charge of a part of the work or supplies referred to, and in cases of dispute or doubt between the contractor and such subordinates, reference may be made by either party to the city engineer, whose decision shall be final. Whenever the words "as indicated" appear in the specifications and ordinance, they shall be taken to mean in a manner described in the specifications as shown on the drawings, which drawings shall be filed in the city engineer's office and are a part thereof, or in accordance with the general tenor, or either or both of them or with proper and reasonable deductions therefrom.

SEC. 723. All private lands over which a district sewer shall pass shall be condemned for district sewer purposes. The city engineer shall make estimates of costs of district sewers and shall file the same immediately and thereafter the sewer committee shall advertise for bids for the construction of said sewer, and shall report such bids to the city council, and the city council may let to the lowest and best bidder the contract for the construction of such district sewer; *Provided*, however, that such advertisements or bids shall be printed for ten days in the paper doing the city printing.

SEC. 724. The cost of district sewers provided for by ordinance, shall be levied and assessed as a special tax against the lots of ground in said sewer district exclusive of improvements, in proportion to the area of the whole district, exclusive of the public highways; as soon as any district sewer shall have been completed, the city engineer, or other officer having charge of the same, shall compute the whole cost thereof, and shall apportion the same against the lots and pieces of ground, exclusive of improvements, in proportion to the area of the whole district, exclusive of the public highways, and such officer shall report the same to the council by bill or otherwise, and the council shall thereupon levy and assess as a special tax, by ordinance, against each lot or piece of ground within the district, in the name of the owner thereof, whereupon the city clerk shall make out a certified tax bill, under the

seal of the city, of such assessment against each lot or piece of ground within the district, in the name of the owner thereof. Said certified tax bills shall be signed by the mayor and attested and recorded by the city clerk, and shall be delivered to the contractor for the work, who shall receive and receipt for the same, and he shall proceed to collect for the same by ordinary process of law, in the name of the city, to the use of the contractor, and in case of absent owners, he may sue by attachment or by any other process known to the law, and every such certified bill shall be a lien against the lot of ground described therein, and shall bear interest at the rate of eight per cent. per annum, from thirty days after the issue thereof, unless sooner offered to be paid, and if not paid or offered to be paid within six months after the date of issue, each such certified bill shall bear interest at the rate of fifteen per cent. per annum until paid, and every such certified bill shall, in any action brought to recover the amount thereof, be prima facie evidence of the validity of the charges against the property therein described, and of the liability of the person therein named as the owner of such property. The city shall incur no liability for building district sewers except when the city is the owner of a lot of ground within the district, and in that case the city shall be liable for the cost of said sewers in the same manner as other property owners within the district,

SEC. 725. All district sewers shall be at all times under the control of the city.



## ARTICLE III.

## SEWER CONNECTIONS.

## SECTION

726. Pipes, material' of, and manner of placing, etc.  
727. Engineer, control of, to grant permits, etc.  
728. Bond, must file before obtaining permit.

## SECTION

729. Work, not to be covered until inspected.  
730. Violation of article, misdemeanor.

SECTION 726. All drain and soil pipes through which water and sewerage are carried from any building, shall be of iron when located inside of any building, and of first class vitrified tile when outside and under ground, and shall be sound, free from holes and other defects, and of uniform thickness and of a size and strength and so constructed and connected at all joints as to be entirely free from any possible leakage of any sewerage or water. They shall be securely ironed to walls, laid in trenches of uniform grade or suspended to floor timbers by safe, strong and wrought iron hangers. They shall be supplied with a suitable trap outside of the foundations of the buildings, and shall have a proper fall of not less than one fourth of an inch per foot toward sewer or drain; all changes in direction shall be made with covered pipes, and connections with horizontal pipes shall be made with Y branches. Each house drain shall be supplied with a fresh air inlet not less than four inches in diameter on the house side of the traps, and extending to the external air. Every sink, basin, bathtub, water closet, privy, slop-hopper, each set of trays, and every fixture having a waste pipe, shall be placed as near the fixture as possible, and each and every trap shall have a special ventilation pipe extending into the soil pipe above the highest point of the fixture, or other approved sanitary trap. The drains from hotels, restaurants or boarding houses, where cooking for more than thirty people is done, shall be provided with a suitable and approved grease trap.

SEC. 727. The city engineer shall have a supervisory control over all connections made with any of the sewers of the city, and over all questions directly concerning sanitary sewerage as regards all questions of drainage, and his decision as to the sufficiency of work done and material used, as regards the manner and completeness of the work and quality of the material, shall be final. No person shall make any connection with any of the city sewers without having first filed with the city engineer a written application for a permit, in which he or they shall state from what lot of ground or building, describing the lot of ground on which the building is situated, and for what purpose he desires such connection, and the kind of material and appliances he desires to use, and if they conform to the ordinances the engineer shall issue a permit. All connections which have heretofore been made with any of the public or district sewers and are in a condition to endanger the health of persons or the sanitary condition of the city, are hereby condemned, and shall be when connected, done according to the provisions and conditions of this article.

SEC. 728. Every person desiring to make any sewer connection with any of the public or district sewers, shall at the time of making his application for a permit, file with the city clerk his bond, with one or more solvent securities, in the sum of fifty dollars, the conditions of which shall be that he will do all work, and provide the material and appliances required by this article, for the purpose of making such connection, and that he will do, or have said work done in a manner satisfactory to the city engineer, and that he or they will cause all excavations to be properly refilled and replaced in as good condition as before such excavations were made, as near as may be; *Provided*, that any regularly licensed plumber who has given bond shall not be required to give additional bond.

SEC. 729. Pipes and other fixtures shall not be concealed from view until after the work shall have been examined by the city engineer, and he shall be notified by the person doing the work when it is sufficiently advanced for inspection, and

if deemed desirable the person doing the work shall prepare said work for test, either by water or air pressure.

SEC. 730. Any person who shall violate any of the provisions of this article, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one, nor more than one hundred dollars.

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## CHAPTER 32.

### SUPPLIES.

#### SECTION

731. Purchase of, etc., must be by order.

732. Order, granted only on requisition.

#### SECTION

733 Order book, requisitions, clerk to preserve.

SECTION 731. No person, whether an officer of the city or an employe thereof, shall contract for any services, or purchase any article whatever, for the use of the city, and bind the city for the payment of the same, unless such officer or employe, before contracting for such services or purchasing such articles, shall first have obtained an order therefor, signed by the city clerk.

SEC. 732. The city clerk shall grant such order only upon the presentation to him of a written requisition, specifying the services or articles needed, signed by a majority of the committee of the city council having charge of the particular department of the city government for which such services or articles are required, or signed by any officer who may be authorized, by the laws of the city, to contract for necessary services or articles.

SEC. 733. The city clerk shall provide and keep a book of blank orders, with stubs attached, which he shall regularly number and fill up in accordance with the above requirements, and keep at all times in his office, subject to inspection; and the clerk shall file and preserve all requisitions from any committee, and number the same to correspond with the orders furnished.

## CHAPTER 33.

### SHADE TREES.

SECTION 734.—Planting, trimming, manner of—To injure or destroy misdemeanor.

SECTION 734. Shade trees may be planted along the sidewalks in the streets of the city. Said trees shall be planted at least six feet and not more than nine feet from the building line of the lots, except on Broadway, the trees may be planted in two rows, nine and twenty-eight feet respectively from the building line, and shall be planted as near as practicable in a straight line along the street. And all shade trees shall be trimmed and kept trimmed so that the branches shall be cut away at least twelve feet from the street and sidewalk, and no branches shall be permitted to extend into the street more than nine feet unless such branches shall be over thirty-five feet in height or above the ground so as not to obstruct the street lights at night. And it shall be the duty of all persons owning such trees to see that these regulations are observed. The city, nevertheless, reserves the right to remove any such trees if deemed necessary by the city council. And the foregoing regulations shall apply to all trees now standing in the streets or that may be hereafter planted. And no person shall willfully injure, or destroy any shade tree not his own, and that shall have been planted and kept as above provided and any person violating any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and fined not less than one nor more than one hundred dollars.

## CHAPTER 34.

## TELEGRAPH, TELEPHONE, AND ELECTRIC POLES AND WIRES.

## SECTION

- 735. Manner of setting, subject to this chapter.
- 736. Alleys, to be placed in, when—Manner of.
- 737. Poles, requisites for—Height of wire—Manner of setting.
- 738. Company to furnish plan of route—Commissioner to superintend, what work.

## SECTION

- 739. Poles and wires, location and height may be changed by council, how.
- 740. Company, to make deposit for repairs, etc., failure to, misdemeanor.
- 741. Regulations, council to make, what—Stobs and posts condemned, removal of, costs.

SECTION 735. Hereafter any telegraph, telephone, electric railway and electric light and power companies duly incorporated according to law, doing business or desiring to do business in the city of Sedalia, is hereby authorized to set its poles, pins, abutments, wires and other fixtures along and across any of the public roads, streets and alleys, of the city subject to the regulations hereinafter provided.

SEC. 736. Whenever in the judgment of the city council the use of any alley for such purpose is practicable, the poles of such companies shall be placed upon and along said alley instead of upon and along the streets next adjoining and parallel thereto. Where the poles are set in an alley they shall be located as near the side lines of the alley as practicable and in such manner as to not incommode the public, or the adjoining proprietors or residents.

SEC. 737. The poles used as herein provided shall be of sound timber, not less than five inches in diameter at the upper end, straight, shapely and uniform in size, neatly planed or shaved and thoroughly painted with two coats of lead and oil paint of such colors as may be directed by the committee on



streets and alleys; no wires on any such poles shall be run at a height less than thirty feet above the grade of the street, except trolley and feed wires for electric railways. Whenever the poles are erected on a street, they shall be placed in all cases when practicable, on the outer edge of the sidewalks just inside the curbstone, and on the dividing line dividing the lots one from the other, and in no case to be so placed as to obstruct the drainage of the streets or interfere with or damage in any way the curbstone, trees or other public or private property on the line of the street or alley where such poles shall be erected.

SEC. 738. Before any telegraph, telephone, electric light or electric railway company shall erect any poles upon any street or alley, they shall submit for approval to the city council, the route of their proposed line or lines, stating the name of the street or streets to be occupied, or if an alley the number of the block, and as far as practicable, the location of each pole. All work of excavating, refilling and restoring the pavement shall be done under the supervision and direction of the street commissioner and to his entire satisfaction, and in all cases the pavement shall be restored as speedily as possible and to the same condition it was before.

SEC. 739. The right is hereby reserved to the city council at any time to direct any alteration in the location of said poles, and also in the height at which the wires shall run; but before any such alteration is made, at least five days notice in writing shall be given to the president or local officer in charge of the company affairs, of the proposed alteration; and reasonable opportunity shall be afforded the representatives of such company or any citizen interested to be heard therein. But when any such alteration shall be ordered by the council such company shall within five days thereafter commence such alterations and complete the same as soon as practicable thereafter, and upon failure to do so, it shall be deemed guilty of a misdemeanor and punished by a fine of not less than one dollar nor more than one hundred dollars.

SEC. 740. Every telegraph, telephone, electric light and electric railway company doing business in the city, shall keep on deposit with the treasurer the sum of fifty dollars, subject to the order of the street commissioner, to be used by him in restoring any sidewalk, gutter, street or alley pavement displaced or injured in the erection, alteration or removal of any pole of such company, when said company refuses or fails to make such restoration to the satisfaction of such commissioner. Any company failing to make and deposit within five days after commencing business, or which shall fail to make good the amount when any portion of it has been expended as herein provided, within five days notice so to do, has been sent by the street commissioner, shall be deemed guilty of a misdemeanor and punished as hereafter provided.

SEC. 741. The city council is hereby empowered to make such regulations of the poles and wires of any such company already erected on any of the streets or alleys of the city, and to condemn any poles, wires and other appliances of any such company which are found upon the streets, alleys and other highways of the city and of such size, height or shape and so located as to constitute an obstruction to any sidewalk, gutter, drain, street or alley, or so as to necessarily obstruct the view from any window or door of any building, or be of such shape or so located with reference to any residence or other property as to make the surroundings unsightly to the occupants or to the public. The location of short stobs or posts in a public street for the purpose of fastening cables and wires for the purpose of staying or bracing poles is expressly prohibited, and all of such stobs or short posts as are now in any of the public streets of the city are hereby condemned, and as soon as practicable after reasonable notice so to do, all such as are required by the committee on streets and alleys shall be removed, and such means adopted by all such companies as may be necessary to maintain their poles without the use thereof, except where permitted by said committee. Should any such company refuse or neglect to remove such stobs or posts

from the streets after being notified by the committee on streets and alleys, of such as are required to be removed, it shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than ten dollars nor more than one hundred dollars for the first offense, and not less than fifty dollars nor more than one hundred dollars for the second offense, and each day shall constitute a separate and distinct offense. And the street commissioner shall then give a reasonable notice to any such company that, at a time named in such notice, he will proceed to remove such stobs and posts of any such company as have been found necessary to be removed by the committee on streets and alleys, and he shall proceed at such time to remove the same, exercising care not to cause unnecessary inconvenience or injury to the wires and poles of such company. And all expense incurred thereby shall be paid by the company necessitating such work, by their failure to comply with the requirements of this chapter; and, on their failure to pay the same, the mayor shall order suit to be instituted therefor, by the city attorney.

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## CHAPTER 35.

### VEHICLES.

#### SECTION.

- 742. Licensed vehicles, to have certain stands when not engaged.
- 743. Stands, marshal to designate, etc.
- 744. Record of, marshal to keep.
- 745. Wagon with hay, coal or wood

#### SECTION.

- for sale, to stand on market place.
- 746. Team, etc., not to be fed on street, etc.
- 747. Misdemeanor to violate this chapter, punishment.

SECTION 742. All licensed drays, wagons, carts and other vehicles shall have certain and designated stands on or adjoining the market place, or such other place as may from time to time be provided, and when not actually engaged in service shall occupy said stands and no other.

SEC. 743. The city marshal shall designate the stand to be occupied by each vehicle, which shall contain the name of the owner, the name of the driver, and the number of the vehicle and shall designate the stand to be occupied, and no one vehicle shall occupy more than one stand.

SEC. 744. It shall be the duty of the city marshal to keep a complete and accurate record of all permits so issued, and he shall require each driver to occupy his proper stand.

SEC. 745. No wagon loaded with hay, wood or coal shall stand, for the purposes of selling such hay, wood or coal, elsewhere than upon the market place.

SEC. 746. No person shall feed any team or beast upon any public street or alley of the city.

SEC. 747. Any person violating any of the provisions of this chapter shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than one nor more than twenty-five dollars.

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## CHAPTER 36.

### WARDS.

#### SECTION.

748. Number of.

749. First ward, location of.

750. Second ward, where.

#### SECTION.

751. Third ward, where.

752. Fourth ward, where.

SECTION 748. The city of Sedalia shall be, and the same is hereby, divided into four wards.

SEC. 749. The first ward shall consist of all that part of the city north of Fourth street and the extension thereof west to the city limits, and west of Lamine street and the extension thereof north to the city limits.

SEC. 750. The second ward shall consist of all that part of the city north of Fourth street and the extension thereof east to the city limits, and east of Lamine street and the extension thereof north to the city limits.

SEC. 751. The third ward shall consist of all that part of the city south of fourth street and the extension thereof east to the city limits, and east of Lamine street and the extension thereof south to the city limits.

SEC. 752. The fourth ward shall consist of all that part of the city south of Fourth street and the extension thereof west to the city limits, and west of Lamine street and the extension thereof south to the city limits.

## CHAPTER 37.

### WARRANTS FOR MONEY.

#### SECTION.

- 753. Clerk to draw, on order from council.
- 754. Party indebted to city, clerk not to issue warrant, etc.
- 755. Treasurer to make monthly

#### SECTION.

- settlement, warrants and coupons to be checked.
- 756. Claim, etc., time of filing, etc.
- 757. Committee to examine and approve, before warrants issued.

SECTION 753. Warrants on the city treasurer, shall be drawn by the city clerk, pursuant to an order from the city council, and not otherwise.

SEC. 754. No city warrant, for payment of money from the city treasury, shall be issued or delivered by the city clerk to any one who is indebted to the city for taxes, license, or upon any account whatever, until such license, tax or claim shall be paid or discharged. And the city clerk is hereby authorized to call upon the city collector for all information necessary to carry this chapter into effect; and the books of the city collector shall be open at all times to the inspection of the city clerk, for the purpose aforesaid. The city clerk shall be, and is hereby, made liable upon his official bond for the amount of any warrants issued or delivered to any person in violation of the provisions of this chapter.

SEC. 755. The city treasurer shall make monthly settlements on the first Monday of each month with the city clerk, so



that paid warrants and coupons can be checked off, and the actual cash balance remaining in his hands be reported to the city council.

SEC. 756. No claim, account or demand against the city shall be allowed, or a warrant ordered for the same, unless said claim, account or demand shall have been presented to the city clerk at least one day before the regular semi-monthly meetings of the city council at which it is presented; and the city clerk is hereby required to endorse in writing, on each claim, demand or account, the date of filing the same.

SEC. 757. No claim, demand or account shall be allowed, or a warrant ordered for the same, until the said claim, demand or account has been examined by the proper committee, and endorsed on the back by the chairman of said committee that the said account, claim or demand is correct and justly due.

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## CHAPTER 38.

### WATER AND WATER SUPPLIES.

ARTICLE I.—Contracts for Water.

ARTICLE II.—Water Works, Regulation of.

#### ARTICLE I.

##### CONTRACTS FOR WATER.

SECTION 758.—Council may make, how—term of etc.

SECTION 758. The council shall have power to make contracts with any person, association or corporation for furnishing the city with water, and for supplying fire hydrants and public fountains; *Provided*, that no such contract shall be made for a longer time than twenty years; and *Provided*, that no such contracts shall have any legal force until the same shall have

been ratified by a vote of two-thirds majority of the qualified voters voting at an election held for that purpose. The council shall have the right, also, to erect maintain and operate water-works for the city, and to regulate the same, to prescribe and regulate the rates to charge to private consumers of water furnished from such water-works, and to acquire by purchase, donation or condemnation, suitable grounds within or without the city upon which to erect said works, and the right of way to and from said works, and also the right or way for laying water-pipes and posts and telephone, telegraph and electric wires and poles, under or above ground, as may be necessary for the efficient operation of said works; all of which shall be done in such manner as shall be prescribed by ordinance; *Provided*, that the council may, in its discretion, grant the right to any person, persons or corporation to erect, maintain and operate water-works, and lay pipes, erect poles, and telegraph, telephone and other wires under or above ground, as may be necessary for the efficient operation of said works, upon such terms as the council may, by ordinance, prescribe; *Provided, further*, that in no case shall such right extend for a longer period than twenty years, and shall not be granted nor renewed unless by the consent of a majority of the qualified voters of the city voting at an election held for that purpose; *Provided*, that nothing in this section shall be so construed as to prevent the city council from contracting with any person, associations or corporations for supplying fire hydrants and public fountains, and to furnish the city with gas or electric lights where franchises have already been granted, and where water-works and electric plants already exist, without a vote of the people.

## ARTICLE II.

## WATER WORKS, REGULATION OF.

## SECTION.

- 759. Use of water, other than mentioned in license or permit, etc., misdemeanor.
- 760. License or permit, use of water without, misdemeanor.
- 761. Watering fountains, to carry water away from or waste, misdemeanor.
- 762. Hydrants, etc., to open, etc., without authority, to deface or injure, misdemeanor.
- 763. Fire alarm, hydrants. to be

## SECTION.

- closed, failure to, misdemeanor.
- 764. Reservoirs, to bathe in, be foul, etc., misdemeanor.
- 765. Meters, accuracy of, how determined.
- 766. Bond, given to company by consumer, to cut off water supply misdemeanor.
- 767. Officer to direct or order supply cut off, after bond given, misdemeanor.

SECTION 759. Any person having a license or permit from the City of Sedalia Water Works Company for the withdrawal and use of water from any of its hydrants, mains or pipes within the jurisdiction of the city of Sedalia, who shall withdraw or use any water therefrom for any purpose other than the purpose or purposes mentioned in such license or permit, or who shall knowingly permit any other person to do so, or who shall suffer or permit any waste water from such hydrants, mains or pipes, within the jurisdiction of said city, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall, for each and every offense be fined in any sum not less than one nor more than one hundred dollars.

SEC. 760. Any person not having a license or permit, from the Sedalia Water Works Company, for the withdrawal and use of water from its hydrants, mains or pipes within the corporate jurisdiction of the city of Sedalia, who shall knowingly withdraw or cause to be withdrawn, any water from such hydrants, mains or pipes within said city, except from public watering and drinking fountains, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall for each and every offense, be fined in any sum not less than one nor more than one hundred dollars.

SEC. 751. Any person who shall withdraw and carry away any water from any of the public watering or drinking fountains erected, supplied and maintained by the Sedalia Water Works Company within the jurisdiction of the city of Sedalia, or who shall commit or cause to be committed any waste of water at or from such fountains, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall for each and every offense be fined in any sum not less than one nor more than one hundred dollars.

SEC. 762. Any person who shall without lawful authority, from either the city of Sedalia or the Sedalia Water Works Company, open any hydrant, service pipe, stop-cock, or valve belonging to or connected with the system of water works of the Sedalia Water Works Company within the city of Sedalia, or who shall injure or deface, obstruct or impair said system of water works, or any part thereof, at and within said city, in any manner, or by any means whatever, shall be deemed guilty of a misdemeanor, and upon conviction thereof, for each and every offense, shall be fined in any sum of not less than one nor more than one hundred dollars.

SEC. 763. When an alarm of fire is or shall be sounded in the city of Sedalia, all hydrants or service pipes, or service plates, then open or in use for the watering of lawns, shall be immediately closed, and remain closed until such alarm is wholly subsided, and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, upon conviction thereof, shall be, for each and every offense, fined in any sum of not less than one nor more than one hundred dollars. *Provided*, that all complaints for the violation of the provisions of this article must be made to the city attorney by some officer or agent of the Sedalia Water Works Company, or marshal or policeman of the city of Sedalia.

SEC. 764. Any person who shall commit any nuisance by bathing or throwing filth, trash or other material in any reservoir or other source of supply of water used by the Sedalia Water Works Company in supplying the city of Sedalia with

water, or who shall permit any dead animals to lie in said water supply, or shall permit any factory, or other means, which shall in any way befoul the said water source, within the jurisdiction of the city of Sedalia, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than five nor more than one hundred dollars.

SEC. 765. If any person shall have upon or about his or their premises any water meter for the purpose of measuring water furnished to such person by any water company by means of pipes or other ways, and there shall be any dispute between such person and any such water company, as to the accuracy or inaccuracy of such meter, it shall be competent for the purpose of settling such question, for such person to have such meter tested by any regularly licensed and competent plumber, or any expert in the business of water meters, and any certificate of such plumber or expert shall be *prima facie* evidence of the accuracy or inaccuracy of such meter; and no water company shall condemn the use of any meter which is so certified to as being in a condition to accurately measure water run through the same until it can satisfactorily prove by a test made of such meter, in the presence of the party having made the certificate, and the consumer, that any such meter is inaccurate.

SEC. 766. In the event of a dispute of any kind between a consumer and any water company, with reference to the measuring of water by meters, or as to the quantity used by any consumer, or as to the condition of any water meter then in use, or the amount of any claim for water used, or any other matter directly concerning the use of water, if the consumer will execute and deliver to the water company a good and sufficient bond, with one or more solvent securities, for an amount to fully protect such water company against any loss whatever on account of such water company continuing to furnish water after such dispute shall arise, and to pay all reasonable costs to which said water company may be put, should said water company be found to be in the right, it shall be unlawful for any such company, to whom such bond is so delivered, to shut off the supply



of water of any such consumer until all such disputes are fully adjusted, and any officer, agent, servant or other employe of any such water company, who shall turn off the water from any consumer who has a disagreement or dispute with such water company, after such consumer shall have executed and delivered such bond to such water company, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, before the police judge of the city of Sedalia, Missouri, shall be punished by a fine of not less than ten dollars and not more than one hundred dollars, or by imprisonment in the city jail not to exceed three months, or by both such fine and imprisonment.

SEC. 767. Any officer of any such water company, having authority to do so, who shall direct or order the water turned off from the premises of any consumer having a disagreement or dispute with such water company about any of the matters set forth in the preceding section, after such consumer shall have made and delivered the bond in the preceding section provided for, before such dispute or disagreement is fully settled, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, or three months in the city jail, or by both such fine and imprisonment.

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## CHAPTER 39.

### WITNESSES.

SECTION 768.—Fees for attending police court, who entitled to, policemen when.

SECTION 768. Every person attending as witnesses in the proceedings before the police judge for violations of the city ordinances, shall be entitled to fifty cents for each day of actual and necessary attendance as such. Each witness shall be examined under oath by the police judge, as to the number of days of his actual necessary attendance under subpoena or

recogizance, and the number of miles necessarily traveled; and in every case where a witness shall not as such have actually and necessarily attended such court, and withdrawn himself from his business during the full time for which pay is claimed, he shall not be allowed for more than one days attendance; *Provided*, that no police officer or other officers of the city who are regularly employed by the city at a salary of not less than fifty dollars per month, shall be entitled to any fees as such witnesses for which the city shall become liable; and *provided further*, that no such officers, as have been above mentioned, shall be entitled to fees as witnesses where the defendant in any case shall become liable for the same, until all fines and costs due the city shall be first collected and it shall not be compulsory for any such city officer to be in attendance in such court as a witness except when subpoenaed or recognized as other witnesses.

## CHAPTER 40.

## FINAL PROVISIONS EFFECTING LAWS, ORDINANCES, ETC.

## SECTION

- 769. Ordinances, style of, how passed.
- 770. Mayor's veto, power to make—Council may pass bill over—Bill to be returned to council, when.
- 771. Rights, etc., this ordinance not to impair.
- 772. Fines, forfeitures, etc., repeal of ordinance not to affect.
- 773. Suits, etc., pending, not to be affected by repeal of ordinance.
- 774. "Heretofore" and "hereafter," meaning of.
- 775. Words importing plural number, scope of.
- 776. Words importing singular number, masculine gender, etc., scope of.
- 777. When two preceding sections not to apply.
- 778. Ordinance repealing ordi-

## SECTION

- nance, when repealed not to revive original.
- 779. Clerk, to file, number and preserve—Conflicting ordinances, last invalid till former repealed.
- 780. Same provisions in this and former ordinances, construed as continuation of former one.
- 781. Book, this ordinance to be published as, to be known and cited, how.
- 782. Rules for government of council.
- 783. City attorney, to superintend publication of the revised ordinances.
- 784. What to be printed, style of, binding, etc., of revised ordinances.
- 785. Contract for publication of, council to make, etc.
- 786. Time of going into effect.

SECTION 769. The style of the ordinances of the city shall be: "Be it ordained by the council of the city of Sedalia as follows." No ordinance shall be passed except by bill, and no bill shall become an ordinance unless on its final passage a majority of the members elected to the council shall vote therefor, and the yeas and nays shall be entered on the journal; and all bills shall be read three times before their passage. No ordinance shall be re-enacted by mere reference to the title thereof, but the same shall be set forth at length, as if it were an original ordinance. No bill shall become an ordinance until it shall have been signed by the officer presiding at the meeting

of the council at which it shall have been passed. When so signed, it shall be delivered to the mayor for his approval and signature, or veto.

SEC. 770. Every bill duly passed by the council and presented to the mayor, and by him approved, shall become an ordinance; and every bill presented as aforesaid, but returned with his objections thereto, shall stand reconsidered. The council shall cause the objections of the mayor to be entered at large upon the journal, and proceed at its convenience to consider the question pending, which shall be in this form: "Shall the bill pass, the objections of the mayor thereto notwithstanding?" The vote on this question shall be taken by yeas and nays, and the names entered upon the journal, and if two-thirds of the members-elect shall vote in the affirmative, the president shall certify the fact on the roll, and the bill thus certified shall be deposited with the proper officer, and shall become an ordinance in the same manner and with like effect as if it had received the approval of the mayor. The mayor shall have power to sign or veto any ordinance passed by the city council: *Provided*, that should he neglect or refuse to sign any ordinance and return the same with his objections, in writing, at the next regular meeting of the council, the same shall become a law without his signature.

SEC. 771. The repeal of any ordinance, or part of ordinance, or resolution, by this ordinance, by implication or express terms, shall not affect any act done or right accrued or established in any proceeding, action, suit, or prosecution, or other thing, had or commenced previous to the passage of this ordinance, or the taking effect thereof; but every such act, right or proceeding shall remain and continue as valid and effectual as if the provisions of such ordinance or resolution had remained in force.

SEC. 772. No offense committed, and no fine, forfeiture, or penalty incurred, previous to the time when the provision of any ordinance, parts of an ordinance, or resolution, shall be repealed, shall be effected, released, or in any way discharged

by such repeal; but the trial, conviction and punishment of such offense, and the recovery of such fines, forfeitures and penalties shall be had in all respects as if such provisions had remained in force.

SEC. 773. No action, prosecution, suit or proceedings, pending at the time any ordinance or part of an ordinance shall be repealed, shall be affected in any way by such repeal; but any such action, prosecution, suit or proceeding shall proceed, in all respects, as if such ordinance, or part of ordinance, had not been repealed; except that any such action, prosecution, suit or proceeding, had or begun after this ordinance goes into effect, shall be conducted in conformity with the provisions of the revised ordinances, and shall be, in all respects, subject to the provisions thereof, so far as they are applicable.

SEC. 774. Whenever the term "heretofore" occurs in any ordinance, it shall be construed to mean any time previous to the day when such ordinance shall take effect; and whenever the term "hereafter" occurs, it shall be construed to mean any time after such ordinance shall take effect.

SEC. 775. Whenever, in any ordinance or resolution words importing the plural number are used in describing or referring to any object, matter, parties, or persons, any single object, matter, party, or person, shall be deemed to be included, although distributive words to that effect may be used.

SEC. 776. When any subject, matter, party, or person is described or referred to in any ordinance, by words importing the singular number, or masculine gender, several matters and persons, and females, as well as males, and bodies corporate, as well as individuals, shall be deemed to be included.

SEC. 777. The rules prescribed in the last two sections shall apply in all cases, unless it shall be otherwise expressly provided in any ordinance, or unless there be something in the subject or context repugnant to such construction.

SEC. 778. When any ordinance repealing a former ordinance, clause or provision, shall itself be repealed, such repeal



shall not be construed to revive such former ordinance, clause or provision, unless it be expressly so provided.

SEC. 779. Every ordinance, when passed, and approved by the mayor, or when it shall become a law, shall be sent to the city clerk, and by him numbered, filed and preserved in his office, and no special or general ordinances which are in conflict or inconsistent with general ordinances of prior dates shall be valid or effectual until such prior ordinance, or the conflicting parts thereof, are repealed by express terms.

SEC. 780. It is expressly provided and ordained that the provisions of this ordinance, which are in revision of the general ordinances of the city of Sedalia, Missouri, so far as they are the same as those of existing ordinances, shall be construed as a continuation of such ordinances, and not as new enactments.

SEC. 781. Immediately upon the passage and approval of this ordinance, or when it shall become a law, the same shall be published in one volume, and shall be designated and known as the "Revised Ordinances of the city of Sedalia of 1894," and they may be cited as the "Revised Ordinances," adding the number of the section, and when necessary, the number of the chapter or article or both.

SEC. 782. The rules now in force and which are printed in the revised ordinances of 1881 as heretofore amended, are hereby adopted for the government of the council and other officers of the city so far as they may be found to be consistent with the present charter and ordinances of the city.

SEC. 783. The city attorney is hereby directed to superintend the publication of this, the revised ordinances of the city, in book form.

SEC. 784. The city attorney shall cause to be printed and incorporated in the volume containing the revised ordinances, a table of contents, all of the constitution of the State of Missouri or so much thereof as he shall deem proper or may omit it entirely, a list of the officers of the city from 1864 to the present time; rules for the government of the council and officers, as adopted by this ordinance, the charter of the city if he shall

deem it proper, and such other laws of the State of Missouri of a general nature, as he shall deem proper to incorporate therein, and such ordinances of the city, of a private nature as he shall deem necessary and proper, such as franchises, adoption of third class charter, extending of city limits, etc., etc. He shall also prepare and arrange a suitable index. It shall be the duty of the city attorney, and he is hereby authorized to adopt such plan of arrangement, head notes, and if in his opinion it is best to use catch-words to indicate briefly the subject matter of the several acts or sections. The sections shall be numbered consecutively, beginning with the first section and ending with the last section. He shall omit the enacting clause of the several acts, as also the title of any ordinance, if he deem it proper. There shall be printed such number of the revised ordinances as shall be necessary to supply each of the officers of the city with a copy of those bound in law leather binding, and fifty copies in same binding for sale, and there shall be fifty copies printed and bound in pamphlet or paper cover form, these shall be for exchange with other cities of Missouri who shall present this city with a copy of their published ordinances. The number of copies of either kind may be increased or diminished at any time before the contract is let, by a resolution of the council to that effect. The price at which either style of such published ordinance shall be sold shall be fixed by the council, and any officers of the city who shall give away any of the books without authority of the council shall have the same deducted from the amount of his next month's salary, and it is hereby made the duty of the city clerk to receive all of the volumes of the published ordinances, and dispose of the same as he shall be directed by the council, by order of record. The expense of the revision of the city ordinances as provided in and by this ordinance, as well as the cost of the publication thereof in book form shall be paid by the city.

SEC. 785. The committee on supplies are hereby authorized to procure bids for the publication thereof, and to report such bids to the council, and the council are hereby authorized

to let the contract for said work to the lowest and best bidder. The council shall have the right to reject any and all bids.

SEC. 786. This ordinance shall take effect and be in force from and after its passage and approval by the mayor.

Passed by the city council of the city of Sedalia, Missouri, the 14th day of March, 1894.

E. W. STEVENS,

President of the Council.

Approved this 17th day of March, 1894.

E. W. STEVENS,

Mayor of Sedalia, Missouri.



*Attest:* EDWARD HOUGH,

City Clerk.

STATE OF MISSOURI, }  
COUNTY OF PETTIS, } ss.  
City of Sedalia. }

I, Edward Hough, City Clerk of the city of Sedalia, Missouri, do hereby certify that the foregoing ordinance, entitled, "An ordinance in revision of the ordinances of the city of Sedalia, Missouri, and to ordain and establish new and amended ordinance provisions for the government of said city," from Chapter 1 to Chapter 40, both inclusive, and from Section 1 to Section 786, both inclusive, was duly passed by the Council of said city, on the date indicated by the attestation of the President of the Council, to-wit: March 14th, 1894, and was duly approved by the Mayor of said city on the 17th day of March, 1894.

I further certify that I have read and compared the foregoing printed ordinance provisions, prefix, and other matter, as contained in this volume; and that said printed volume contains all of the provisions of said ordinance as passed by the Council, and approved by the Mayor, as aforesaid, and contains such

other matter as was authorized by said ordinance to be printed and published therein; and that said volume, as printed, is in every way in full compliance with the ordinance provisions authorizing its publication.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said city, this 25th day of April, 1894.



EDWARD HOUGH,  
City Clerk.





## LIST OF OFFICERS

OF THE

1864.		1866.	
Mayor.....	{ Geo. R. Smith. Jas. G. Tesch.	Mayor.....	Jno. F. Philips
Aldermen, F. L. Parker, Wm. Beck, Ira C. Pierce, R. Waltenspiel, R. Hulland, E. Laupheimer, Frank McCabe.		Aldermen, Henry Suess, Wm. Beck, T. W. Moses, Rod Gallie, Jno. L. Hall, P. G. Stafford, Thos. J. Montgomery.	
Marshal.....	Jas. G. Tesch.	Marshal and	{ Jno. B. Gallie.
Assessor.....	Chan. P. Townsley.	Collector	{ L. L. Bridges
		Attorney	{ Wm. Wallace, (resigned)
		Register	{ A. J. Sampson.*
1865.		1867.	
Mayor { E. W. Washburn (resigned) F. L. Parker.*		Mayor.....	Henry Suess
Aldermen, J. L. Vickers, Jno. Harding, Louis Kumm, Jno. W. Houx, B. H. Ingram, Abram Meyer, Jas. G. Tesch.		Aldermen, J. J. Weiler, (resigned.) Jas. G. Tesch, Jas. Jamison, R. Hulland, W. F. Boyer, S. S. Vinton, R. Gallie, A. C. Marvin,* E. R. Stevens.*	
Marshal and	{ W. P. Jackson		
Collector	{ Jas. M. Mills*		

NOTE. —The first Mayor, Geo. R. Smith, was appointed by the original charter, approved February 15th, 1864, and served until the following month of April, when an election was held, resulting in the election of James G. Tesch, who served for the regular term of 1864. Officers indicated by an asterisk (\*) were elected to fill vacancies.

Marshal and Collector } Jno. B. Gallie.  
 Attorney } A. J. Sampson, (removed)  
               } L. L. Bridges.\*  
 Register.....A. H. Thompson  
 Assessor.....Jno. Walde  
 Treasurer.....Wm. E. Bard

1868.

Mayor.....Bacon Montgomery  
 Aldermen, W. C. Weiler,  
               F. Kriekhaus,  
               C. C. Goodman,  
               F. Crandall, (resigned.)  
               Wm.' Bloess,  
               R. H. Moses,  
               J. D. McGrath, (died.)  
               W. F. Boyer,\*  
               G. A. Sturges.

Marshal and Collector } W. P. Jackson.  
 Attorney.....W. W. S. Snoddy  
 Register.....A. H. Thompson  
 Assessor.....Ira C. Pierce  
 Treasurer.....Chan. P. Townsley

1869.

Mayor.....Albert Parker  
 Aldermen, Thos. J. Montgomery,  
               Henry Ambrecht,  
               Peter Latsch,  
               G. A. Sturges,  
               Abram Meyer,  
               R. H. Moses,  
               Wm. Beck.

Marshal } W. P. Jackson, (resigned)  
            } P. S. Zillhart.\*  
 Attorney.....B. G. Wilkerson  
 Register.....Geo. W. Cummings  
 Assessor.....H. N. Knapp  
 Collector.....E. P. Kent  
 Treasurer.....Jno. W. Siebe

1870.

Mayor.....W. P. Jackson  
 Aldermen, C. C. Goodman, (res'g.)  
               F. Kriekhaus,  
               Theo. Hoberecht,  
               B. F. Dean,  
               Wesley Kipp,  
               V. Homburg,  
               Jno. Beckley,  
               Henry Boyer,  
               Jno. D. Brown.\*

Marshal.....W. C. Weiler  
 Attorney.....Jas. S. Botsford  
 Register.....J. F. Tobias  
 Assessor.....H. N. Knapp  
 Collector.....E. P. Kent  
 Treasurer.....Jno. W. Siebe

1871.

Mayor.....Thos. J. Montgomery  
 Aldermen, B. H. Ingram,  
               Jno. L. Hall,  
               Ellias Bixby,  
               Chas. G. Taylor,  
               H. Boyer,  
               Wesley Kipp,  
               F. Friekhaus,  
               Theo. Hoberecht.

Attorney.....W. H. H. Hill  
 Marshal.....J. H. Gest  
 Register.....A. H. Thompson  
 Treasurer.....E. Lamy  
 Collector.....I. D. Goodson  
 Assesor.....M. M. Lampton

1872.

Mayor.....Geo. W. Cummings  
 Aldermen, Henry Vitt,  
               Joseph Tice,  
               Jno. W. Siebe,  
               Wesley Kipp,  
               B. H. Ingram,  
               John L. Hall,  
               Elias Bixby,  
               C. G. Taylor.

Attorney.....W. H. H. Hill  
 Marshal.....Wm. Inch  
 Register.....Thomas Monroe  
 Collector.....I. D. Goodson  
 Assessor.....T. N. Rogers

1873.

Mayor.....R. T. Miller  
 Aldermen, John F. Antes,  
               M. M. Prichard,  
               J. W. Mills,  
               E. W. Bixby,  
               Henry Vitt,  
               Joseph Tice,  
               John W. Siebe,  
               Wesley Kipp.

Attorney.....W. L. Felix  
 Marshal.....John B. Gallie

# LIST OF OFFICERS.

469

Register J. H. Gest  
Treasurer M. Henoch  
Collector John S. Lingle  
Assessor John B. Gallie

Register G. W. Cummings  
Treasurer G. Vogler  
Collector W. J. Manker  
Assessor H. N. Knapp

1874.

Mayor W. H. H. Hill  
Aldermen, George R. Smith,  
Theo. Hoberecht,  
Peter Latsch,  
A. P. Morey,  
John F. Antes,  
M. M. Pritchard,  
J. W. Mills,  
E. W. Bixby.  
Attorney { W. L. Felix, (removed.)  
B. G. Wilkerson,\*  
Marshal John B. Gallie  
Register J. H. Gest  
Collector W. J. Manker  
Treasurer G. Vogler  
Assessor John B. Gallie

1875.

Mayor Norman Maltby  
Aldermen, George R. Smith,  
Theo. Hoberecht,  
Peter Latsch,  
A. P. Morey,  
G. B. Simmonds,  
Henry Suess,  
P. McEnroe,  
John Newton,  
Attorney P. H. Sangree  
Marshal D. T. Hartshorn  
Register George W. Cummings  
Treasurer G. Vogler  
Collector W. J. Manker  
Assessor H. N. Knapp

1876.

Mayor David Blocher  
Aldermen, G. B. Simmonds,  
Henry Suess,  
P. McEnroe,  
John Newton,  
W. F. Ilgenfritz,  
E. T. Brown,  
T. T. Major,  
Wm. Hill.  
Attorney P. H. Sangree  
Marshal John Shanafelt

1877

Mayor Logan Clark  
Aldermen, W. F. Ilgenfritz,  
E. T. Brown,  
T. T. Major,  
Wm. Hill,  
P. McEnroe,  
W. R. Thomas,  
L. B. Rhodes,  
E. Lamy,  
M. O'Reilly,\*  
J. F. Antes,\*  
M. C. White.\*  
Attorney G. C. Heard  
Marshal Phillip Kelley  
Register G. W. Cummings  
Treasurer John W. Burress  
Collector W. J. Manker  
Assessor E. H. James

1878

Mayor G. L. Faulhaber  
Aldermen, E. Lamy  
M. O'Reilly  
J. F. Antes  
E. T. Brown  
M. C. White  
A. Holland  
J. Kolbohn  
William Latour  
M. Harter\*  
Attorney P. H. Sangree  
Marshal A. Smith  
Register Julius Conrath  
Treasurer John W. Burress  
Collector { W. J. Manker (removed)  
J. H. Looney (appointed)  
Assessor { Wm. Weiler, (resigned)  
E. H. James (appointed)

1879

Mayor G. L. Faulhaber  
Aldermen, A. Holland  
J. Kolbohn  
M. Harter  
J. F. Antes

E. T. Brown  
William Hill  
J. B. Rickman\*  
B. D. Dean  
Frank Newton\*  
Rod Gallie  
Louis Kumm\*

Attorney ..... W. L. Felix  
Marshal ..... A. Smith  
Register ..... Julius Conrath  
Treasurer ..... John W. Burress  
Collector ..... Ed. Hurley  
Assessor ..... E. H. James

1880

Mayor ..... E. C. Evans  
Aldermen, William Hill  
B. D. Dean  
Rod Gallie  
J. B. Rickman  
L. Kumm  
Frank Newton  
P. H. Mead  
A. S. Fernald

Attorney ..... W. L. Felix  
Marshal ..... A. Smith  
Register ..... R. M. Fraker  
Treasurer ..... John W. Burress  
Collector ..... Frank Landmann  
Assessor ..... E. H. James

1881

Mayor ..... Frank Craycroft  
Aldermen, J. B. Rickman  
L. Kumm  
Frank Newton  
P. H. Mead  
A. S. Fernald  
Owen Harrison  
D. I. Holcomb  
E. W. Sinclair

Attorney ..... L. L. Bridges  
Marshal ..... Robert J. Shy  
Register ..... R. M. Fraker  
Treasurer ..... W. W. Herold  
Collector ..... Frank Landmann  
Assessor ..... S. W. Maddux

1882

Mayor ..... C. E. Messerly  
Aldermen, D. I. Holcomb  
Owen Harrison  
J. B. Rickman  
E. W. Sinclair  
W. D. Ilgenfritz  
J. S. Bosserman  
W. R. Thomas  
John S. Landes

Attorney ..... P. H. Sangree  
Marshal ..... Robert J. Shy  
Register ..... R. M. Fraker  
Treasurer ..... C. W. Brown  
Collector ..... Frank Landmann  
Assessor ..... E. P. Crain

1883

Mayor ..... C. E. Messerly  
Aldermen, W. D. Ilgenfritz  
J. S. Bosserman  
W. R. Thomas  
John S. Landes  
Samuel Stahl  
William Hill  
J. B. Rickman  
E. W. Sinclair

Attorney ..... V. E. Shaw  
Marshal ..... Robert J. Shy  
Register ..... B. Rauck  
Treasurer ..... C. W. Brown  
Collector ..... Frank Landmann  
Assessor ..... Daniel David

1884

Mayor ..... John B. Rickman  
Aldermen, Samuel Stahl  
William Hill  
E. W. Sinclair  
W. D. Ilgenfritz  
Peter Jefferson  
John D. Russell  
A. Farnham  
Dan Grow

Attorney ..... { †Henry Lamm  
                          †C. E. Yeater  
                          †V. E. Shaw

†Mr. Lamm was elected at regular election, resigned to accept the office of County Attorney. Mr. Yeater was appointed by the Mayor and Council, and held until special election, at which Mr. Shaw was elected, and served to the end of the term.

# LIST OF OFFICERS.

471

Marshal ..... R. W. Barnett  
Register ..... B. Rauck  
Treasurer ..... J. H. Vitt  
Collector ..... Frank Landmann  
Assessor ..... M. M. Lampton

1885

Mayor ..... J. B. Rickman  
Aldermen, Peter Jefferson  
John D. Russell  
A. Farnham  
Geo. Ferrell  
J. M. Robb  
L. C. Smith  
T. J. Mason  
W. D. Ilgenfritz

Attorney ..... V. E. Shaw  
Marshal ..... R. W. Barnett  
Register ..... J. W. Snyder  
Treasurer ..... J. H. Vitt  
Collector ..... J. H. Pilkington  
Assessor ..... J. M. Logan

1886†

Mayor ..... E. W. Stevens  
Councilmen—

Long term, Rod Gallie  
Short term, Peter Latch  
Long term, Charles Carroll  
Short term, John Cashman  
Short term, Charles Newell  
Long term, R. M. Olmstead  
Long term, John B. Gallie  
Short term, S. P. Johns

Attorney ..... Louis Hoffman  
Marshal ..... Walter S. Jackson  
Recorder ..... H. C. Levens  
Treasurer ..... J. H. Vitt  
Collector ..... J. H. Pilkington  
Assessor ..... George W. Burr  
Clerk ..... A. H. Thompson  
City Engineer ..... J. C. Johnson  
Street Commissioner ..... Wm. Jackson

1887

Mayor ..... E. W. Stevens  
Councilmen, Rod Gallie  
Charles Carroll  
R. M. Olmstead  
S. P. Johns  
W. D. Ilgenfritz  
John Cashman  
W. P. Cousley  
John B. Gallie

Attorney ..... Louis Hoffman  
Marshal ..... Walter S. Jackson  
Recorder ..... H. C. Levens  
Treasurer ..... J. H. Vitt  
Collector ..... J. H. Pilkington  
Assessor ..... George W. Burr  
Clerk ..... A. H. Thompson  
James Cousley  
Street Commissioner ..... J. W. Tripp  
City Engineer ..... J. C. Johnson

1888

Mayor ..... John D. Crawford  
Councilmen, W. D. Ilgenfritz  
John Cashman  
W. P. Cousley  
S. P. Johns  
F. W. Shultz  
Charles Carroll  
Moses Avery  
J. C. McLaughlin

Attorney ..... Louis Hoffman  
Marshal ..... Thomas Prentice  
Recorder ..... M. W. Brady  
Treasurer ..... George L. Faulhaber  
Collector ..... J. H. Pilkington  
Assessor .....  
Clerk ..... James Cousley  
City Engineer ..... Merritt Yeater  
Street Commissioner ..... J. W. Tripp

†This was the first election held after the adoption of the third-class Charter, and, following its requirements, all elective officers, including eight Councilmen were elected, two from each of the four wards. The Councilman in each ward receiving the highest number of votes, to hold for two years, and the one receiving the next highest, for one year, making a long and short term Councilman from each ward.

‡Elected July 16, 1887, to fill vacancy caused by death of Captain A. H. Thompson.



1889

Mayor.....John D. Crawford  
 Councilmen, F. W. Shultz  
                 Charles Carroll  
                 Moses Avery  
                 J. C. McLaughlin  
                 W. D. Ilgenfritz  
                 John Cashman  
                 R. M. Olmstead  
                 W. L. Porter  
 Attorney.....Louis Hoffman  
 Marshal.....Thomas Prentice  
 Recorder.....M. W. Brady  
 Treasurer.....George L. Faulhaber  
 Collector.....J. H. Pilkington  
 Assessor.....  
 Clerk.....A. R. Easton  
 City Engineer.....Merritt Yeater  
 Street Commissioner.....Left vacant

1890||

Mayor.....E. W. Stevens  
 Councilmen, J. O. Edwards  
                 Charles Carroll  
                 R. M. Olmstead  
                 J. S. Bosserman  
                 W. L. Porter  
                 Clemens Honkomp  
                 H. B. Weiman  
                 T. B. Young  
 Attorney.....John Cashman  
 Marshal.....Thomas Prentice  
 Recorder.....J. A. Halstead  
 Treasurer.....C. S. Dexter  
 Collector.....V. P. Hart  
 Assessor.....Fred Wetteroth  
 Clerk.....A. R. Easton  
 City Engineer.....Merritt Yeater  
 Street Commissioner.....John Hyatt

1891

Mayor.....E. W. Stevens  
 Councilmen, Clemens Honkomp  
                 Charles Carroll

H. B. Wieman  
 J. O. Edwards  
 Bell Hutchinson  
 J. S. Bosserman  
 John L. Wigton  
 George E. Dugan

Attorney.....John Cashman  
 Marshal.....Thomas Prentice  
 Recorder.....J. A. Halstead  
 Treasurer.....C. S. Dexter  
 Collector.....V. P. Hart  
 Assessor.....Fred Wetteroth  
 Clerk.....B. Rauck  
 City Engineer.....Merritt Yeater  
 Street Commissioner.....John Hyatt

1892

Mayor.....E. W. Stevens  
 Councilmen, Bell Hutchinson  
                 J. S. Bosserman  
                 John L. Wigton  
                 George E. Dugan,  
                 Clemens Honkomp  
                 R. F. Dean  
                 Daniel McKenzie  
                 George B. Deckman

Attorney.....John Cashman  
 Marshal.....John DeLong  
 Recorder.....B. Rauck  
 Treasurer.....John M. Glenn  
 Collector.....V. P. Hart  
 Assessor.....Charles Wentzelman  
 Clerk.....Fred Putcher  
 City Engineer.....Merritt Yeater  
 Street Commissioner.....John Hyatt

1893

Mayor.....E. W. Stevens  
 Councilmen, Clemens Honkomp  
                 R. F. Dean  
                 George B. Deckman  
                 Daniel McKenzie  
                 Lee Looney  
                 M. R. Anderson  
                 R. M. Olmstead  
                 W. F. Hansberger

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||The resignation of W. D. Ilgenfritz in the First ward, and John Cashman in the Second ward, necessitated the election of two Councilmen from each of these wards, one for a long term and one for a short term. Mr. Honkomp was elected for the long term and Mr. Young for the short term in the First Ward, and Mr. Carroll for the long term and Mr. Bosserman for the short term in the Second ward.

Attorney.....John Cashman  
 Marshal.....John DeLong  
 Recorder.....B. Rauck  
 Treasurer.....John M. Glenn  
 Collector.....V. P. Hart  
 Assessor.....Charles Wentzelman  
 Clerk.....Edward Hough  
 City Engineer.....Charles Zoll  
 Street Commissioner.....John Hyatt

1894

Mayor.....P. D. Hastain  
 Councilmen, Lee Looney  
                   Frank R. Hulland

M. R. Anderson  
 George E. Deekman  
 R. M. Olmstead  
 T. P. Berry  
 W. F. Hensberger  
 George E. Dugan

Attorney.....L. J. Smith  
 Marshal.....L. H. Kahrs  
 Police Judge.....J. S. Bosserman  
 Treasurer.....John M. Glenn  
 Collector.....W. I. Wiley  
 Assessor.....Charles Wentzelman  
 Clerk.....Edward Hough  
 City Engineer  
 Street Commissioner



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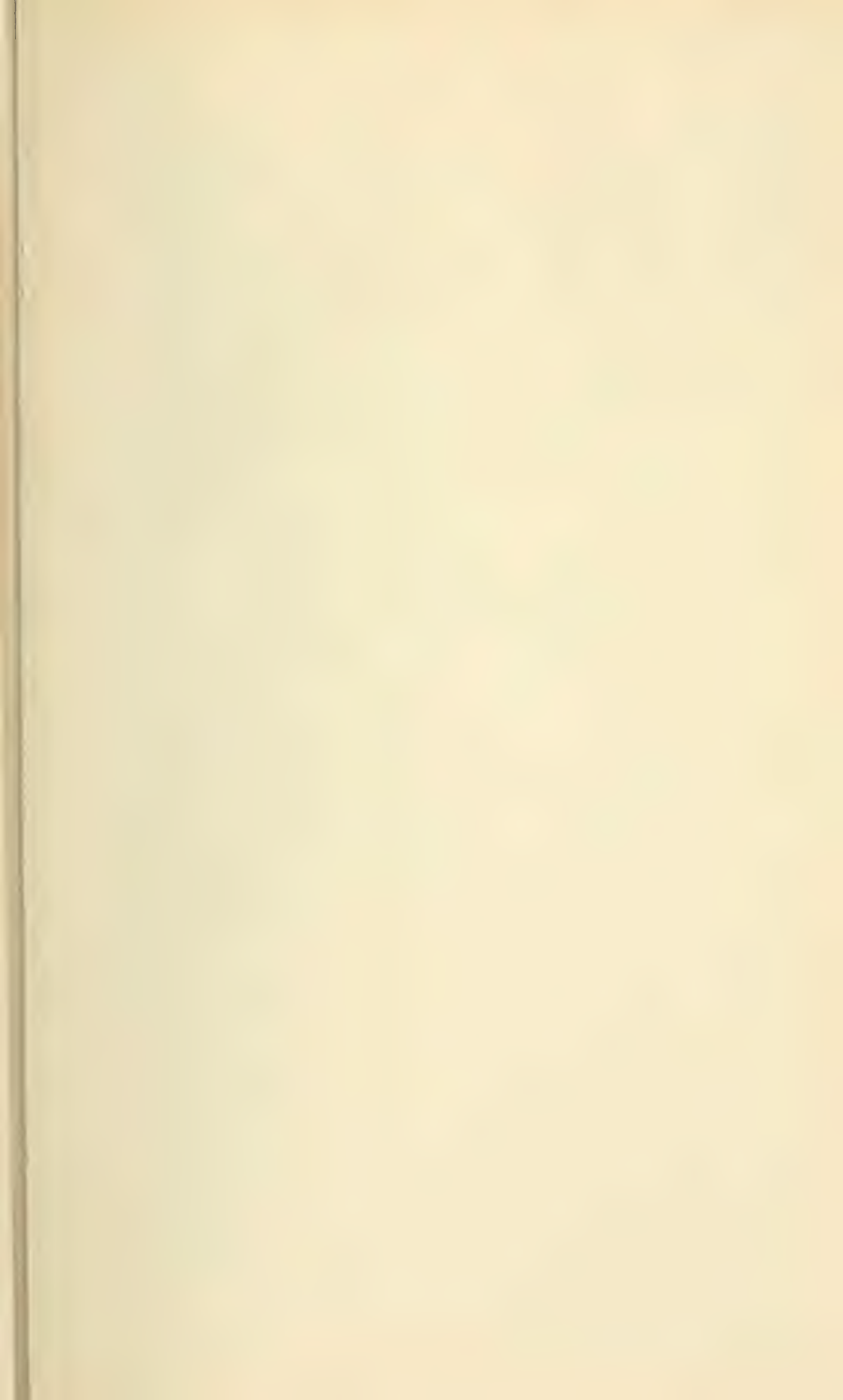
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